# DRINKING WATER BOARD PACKET

OCTOBER 12, 2007

SALT LAKE CITY, UTAH

### AGENDA

# DRINKING WATER BOARD MEETING

OCTOBER 12, 2007



#### State of Utah

# Department of Environmental Quality

Richard K. Sprott Executive Director

DIVISION OF DRINKING WATER Kenneth H. Bousfield, P.E. Director

#### **Drinking Water Board**

Anne Erickson, Chair
Myron Bateman, Vice-Chair
Ken Bassett
Daniel Fleming
Jay Franson, P.E.
Helen Graber, Ph.D.
Paul Hansen, P.E.
Petra Rust
Richard Sprott
David Stevens, Ph.D>
Ron Thompson
Kenneth H. Bousfield, P.E.
Executive Secretary

JON M. HUNTSMAN, JR. Governor

GARY HERBERT Lieutenant Governor

### DRINKING WATER BOARD MEETING

OCTOBER 12, 2007 1:00 p.m.

Place: DEQ's Offices 168 North 1950 West, Room 101 Salt Lake City, Utah 84116

Ken Bousfield's Cell Phone #: (801) 674-2557

- 1. Call to Order Chairman Erickson
- 2. Roll Call Ken Bousfield
- 3. Introductions Chairman Erickson
- 4. Approval of Minutes September 14, 2007
- 5. SRF/Conservation Committee Report Vice Chairman Myron Bateman
  - 1) Status Report Ken Wilde
  - 2) Project Priority List Karin Tatum
  - 3) SRF Applications
    - a) Pinon Forest Special Service District Planning Karin Tatum
  - 4) Proposed Agreement between the Drinking Water Board and the Rural Water Association of Utah – Ken Wilde
- 6. Operator Certification Commission Renewals Kim Dyches
- 7. Cross Connection Commission Renewals Mike Moss
- 8. 2008 Board Meeting Schedule Discussion
- 9. DEQ Fee Document Hearing

- 10. Open and Public Meeting Act
- 11. Five Year Renewal Adoption for: Rule R305-2 Electronic Meeting Rule and Rule R305-3 Emergency Meeting Rule Laura Lockhart
- 12. Chairman's Report Chairman Erickson
- 13. Directors Report
  - a) MOU with the Division of Public Utilities
  - b) Meeting with AGIC
  - c) Recent Annual Meetings and Conferences
- 14. Letters
- 15. News Articles
- 16. Next Board Meeting:

Date: November 16, 2007

Work Meeting with the Water Quality Board

Work Meeting: 9:00 a.m.

Address for the Combined Board Meetings:

168 North 1950 West, Room 101

Salt Lake City, Utah 84116

Time: 11:30 a.m. Lunch: Provided

Drinking Water Board Meeting: 1:00 p.m. - Room 101 Water Quality Board Meeting: 1:00 p.m. - Room 201

- 17. Other
- 18. Adjourn

In compliance with the American Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Jennifer Burge, Office of Human Resources at: (801) 536-4413, TDD (801) 536-4424, at least five working days prior to the scheduled meeting.

### ITEM 4

APPROVAL OF THE

SEPTEMBER 14, 2006 MINUTES



#### State of Utah

# Department of Environmental Quality

Richard W. Sprott Executive Director

DIVISION OF DRINKING WATER Kenneth H. Bousfield, P.E. *Director* 

#### **Drinking Water Board**

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Executive Secretary

 $\begin{array}{c} {\rm JON~M.~HUNTSMAN,\,JR.} \\ {\it Governor} \end{array}$ 

GARY HERBERT Lieutenant Governor

### MINUTES OF THE DRINKING WATER BOARD MEETING HELD ON SEPTEMBER 14, 2007 IN WEST JORDAN, UTAH

<u>Staff</u>
Kenneth Bousfield
Kenneth Wilde
Steve Onysko
Rich Peterson
Karin Tatum
Julie Cobleigh
Michael Grange
Nagendra Dev
Linda Matulich
Guests Continued
Lynn Sagers, Rural Development
Brian Tenney, Journey Team
Dianne Nielson, Utah Energy Office
David Hartvigsen, Smith Hartvigsen
Fred Nelson, Attorney Generals Office
George Cruz, Bureau of Land Mgmt.
Dale Pierson, Rural Water Association
Bill Bigelow, Bear River WCD
Voneene Jorgensen, Bear River WCD

#### ITEM 1 – CALL TO ORDER

Steve Sheffey, Dugway

The Drinking Water Board convened in West Jordan, Utah with Chairman Erickson presiding. The meeting was called to order at 1:00 p.m.

Justin Gough, Novotx, LLC

#### ITEM 2 – ROLL CALL

Chairman Erickson asked Ken Bousfield to call roll of the Board members. The roll call showed there were 10 members present.

#### ITEM 3 – INTRODUCTIONS

Chairman Erickson welcomed everyone and asked the guests to introduce themselves.

Chairman Erickson extended a welcome to Dr. David Stevens, a new member of the Drinking Water Board.

Dr. Stevens gave some background information on his education and work.

Chairman Erickson thanked the staff of the Jordan Valley Water Conservancy District for the very informative tour of their new Conservation Garden, and for the use of their facilities for the Drinking Water Board meeting.

#### ITEM 4 – APPROVAL OF MINUTES

Chairman Erickson stated a motion was in order to approve the minutes of the July 13, 2007 and the August 2, 2007 Drinking Water Board meetings. **August 2, 2007:** 

Paul Hansen proposed an alternate motion he made at the August 2, 2007 Drinking Water Board teleconference meeting as follows:

#### Paul Hansen moved the Drinking Water Board:

- 1) Authorize the Magna Water Company (District) to spend \$503,771 from their 1997 Repair and Replacement Reserve Fund for construction of the Water Treatment Project.
- 2) Not set a limit on the balance of the Repair and Replacement Reserve Fund, but allow the District the option to use the remaining reserve funds as needed on the project, however require that the District submit payment requests to the Board for approval.
- Require the District to continue building up the Repair and Replacement Reserve Fund at a rate of 5% (of its drinking water system operation and maintenance budget) annually, as required by the 1997 bond.
- 4) Require the District to use interest earned on Drinking Water Board funds on the project only and not on any "non-project" facilities.

Ken Wilde mentioned in " $\underline{\text{ITEM 2 - ROLL CALL}}$ ", **6** members are listed as being present during roll call. It should read **7** members were present during roll call instead.

Myron Bateman moved the Board approve the minutes of the August 2, 2007 Drinking Water Board Teleconference meeting with the changes mentioned above.

Petra Rust seconded.

CARRIED (Unanimous)

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#### July 13, 2007 Board Meeting:

Petra Rust moved the Board approve the minutes of July 13, 2007 Drinking Water Board meeting.

Paul Hansen seconded.

CARRIED (Unanimous)

#### ITEM 5 – SRF/CONSERVATION COMMITTEE REPORT

1) Status Report – Ken Wilde

Ken Wilde reported the Board has \$208,000 in the State SRF program. The principle fund has a minus of \$267,095, and \$475,493 in the State Hardship Grant fund. There is a list of target dates for closing some projects soon in the packet. The planning loans/grants are merely a formality on the community signing the paper and staff signing the agreement paperwork. The Circleville loan closed on August 2, 2007.

Ken Wilde reported staff changed the format on the Federal SRF program to be more understandable. Ken mentioned the Board has \$9,500,000 in the Federal SRF program to use for loans. Ken mentioned the Board will receive \$13,000,000 in grant, interest and principal payments over the next 12 months. There is a list of authorized projects in the packet that haven't closed yet.

- 2) SRF Applications
  - a) Emergency Funding Deauthorization Ken Wilde

Ken Wilde mentioned the Board authorized \$1,300,000 to some of the communities in the Washington County area that needed assistance a week after the flooding occurred.

Ken Wilde reported staff is requesting the Board deauthorize any remaining funds of the \$1,300,000 earmarked for the emergency flooding in Washington County.

Ronald Thompson moved the Board deauthorize any remaining funds of the \$1,300,000 earmarked for the emergency flooding in Washington County.

Jay Franson seconded.

CARRIED (Unanimous)

b) Town of Paragonah – Planning Loan – Rich Peterson

Rich Peterson reported the Town of Paragonah has a master plan. The Town of Paragonah is receiving help from the PCIB. Paragonah's current rate is about 1.6% of their local MAGI. The MAGI is about 72% of the State's MAGI. Staff is recommending the Board authorize a planning grant of \$16,250.

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Doug Nielsen, Sunrise Engineering representing the Town of Paragonah, was available for any questions of the Board.

Jay Franson moved the Board authorize a planning grant of \$16,250 to partially fund their master plan. The Town needs to provide or secure the other \$16,250, The Town needs to prepare a bacteriological sample site while completing their planning study.

**Daniel Fleming seconded.** 

**CARRIED** (Unanimous)

c) Whispering Pines Water Company – Michael Grange

Michael Grange reported the Whispering Pines Water Company is a privately owned water company. Whispering Pines Water Company is requesting \$222,000 in financial assistance from the Board to perform a well step drawdown and constant rate tests, install two new well pumps, a telemetry system, and the required meters, valves, pressure gages and sample taps at each well.

Michael mentioned their MAGI is 79% of the State MAGI. After the completion of their project, the monthly water bill will be \$36.23, which is equal to 1.59% of their local MAGI.

Michael mentioned the Whispering Pines Water Company's \$222,000 request will be at 3.19% for 20 years on the condition the company can demonstrate having the technical, managerial and financial capabilities they are required by the Capacity Development program.

Owen Howell, Eugene Rino and Lynn Wall, representing Whispering Pines Water Company, addressed the Board.

Discussion followed.

Jay Franson moved the Board continue the Whispering Pines Water Company's request to the next Board meeting on October 12, 2007. The Whispering Pines Water Company's engineer and staff will review their storage requirements and complete the Assessment.

Whispering Pines Water Company will work with Division of Water Rights staff and the Division of Drinking Water staff on their proposed project request. Ken Bousfield will write a letter to the Division of Water Rights asking them to work with the Whispering Pines Water Company and the Division of Drinking Water on their construction loan request for their proposed project.

Discussion on motion.

Paul Hansen seconded.

CARRIED (Unanimous)

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#### d) Snowville Water Works - Julie Cobleigh

Julie Cobleigh reported Snowville Water Works is requesting \$40,000 to cover increased construction costs. Currently, they have a \$650,000 Loan at 0.0%, which resulted in an average monthly water bill of \$58.19, which is, or 2.83% of the local MAGI. The project is near completion. They only have the wellhouse and a portion of the water line to complete. The wellhouse came in over budget. The estimated cost of the wellhouse, the waterline and engineering contracts, including contingencies, exceed the current budget by \$110,000. They have secured \$70,000 in grant money from Rural Development. The SRF Conservation Committee recommends the Board authorize a \$40,000 loan at 0% interest with 100% principle forgiveness.

Gary Frandsen, representing Snowville Water Works, addressed the Board.

Discussion followed.

Daniel Fleming moved the Board authorize a \$40,000 loan at 0.00% interest with 100% principle forgiveness to Snowville Water Works.

Petra Rust seconded.

CARRIED (Unanimous)

e) Bear River Water Conservancy District – Rich Peterson

Rich Peterson reported the Bear River Water Conservancy District (WCD) covers all of the Box Elder County. Bear River WCD's regionalization project consists of a water storage tank and a transmission line. The cost of the project is over \$2.8 million. Bear River WCD is contributing \$480,000. The District currently serves 118 residential retail customers. They also serve approximately 10,000 wholesale customers.

Voneene Jorgensen and Bill Bigelow, representing the Bear River Water Conservancy District, answered questions from the Board.

Discussion followed.

Ronald Thompson moved the Board authorize the Bear River Water Conservancy District a \$1,800,000 loan at 2.19% for 20 years, and a \$600,000 grant for the South Willard project with an \$18,000 loan original fee, with the condition that the District increase their impact fees appropriately and repay 60% of the collected impact fees for new connections that exceed growth projections as shown in the packet, and allow for a modified repayment schedule.

Discussion on motion.

**Daniel Fleming seconded.** 

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Ronald Thompson amended his motion to also include that the Bear River Water Conservancy District keep the first \$500,000 of impact fees to pay for a second well that would include any backup sources.

Daniel Fleming seconded.

CARRIED (Unanimous)

Chairman Erickson welcomed Dianne Nielson to the Board meeting. Dianne recently transferred from the Department of Environmental Quality (DEQ) to the State Energy Office. She was the Director of the Department of Environmental Quality. She is now the Director of the State Energy Office.

Chairman Erickson presented Dianne with a plaque and a Pepperidge Farm gift basket. Chairman Erickson thanked Dianne for her dedication and years of service as the Director for DEQ and a member of the Drinking Water Board.

Dianne Neilson thanked the Board and staff.

Rick Sprott left the Board meeting.

#### ITEM 6 – RULE R309-352 – NON SUBSTANTIVE RULE REFERENCE CHANGE

Steve Onysko reviewed the rewording and non-substantive changes in Rule R309-352 – Capacity Development Program. There are a number of non-substantive changes on language and structure in the Rule.

Steve mentioned he would come back to a future Board meeting and review the substantive changes that he plans to make in the Capacity Development Rule.

Ken Wilde gave some background information on the Capacity Development Rule.

Discussion followed.

Petra Rust moved the Board authorize staff to proceed with filing all of the non-substantive changes in Rule R309-352 - Capacity Development Rule, with the exception of Section R309-325-6 – Minimum Capacity Required for Financial Assistance Under Provisions of R309-351 R309-700 and -705.

Discussion on motion.

Paul Hansen seconded.

CARRIED (Unanimous)

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The Board authorized Steve to proceed with filing all of the non-substantive changes to Rule R309-352 with the exception of Section R309-325-6. Steve will proceed with filing the changes to Rule R309-352-6 later.

Rick Sprott joined the Board meeting.

#### ITEM 7 – RULE REVISIONS: R309-700 AND R309-705

Ken Wilde reported that Rule R309-705 – Federal SRF Loan Program does reference the Capacity Development Program.

Ken reviewed the proposed rewording of Rule R309-700 and Rule R309-705 – SRF Loan Programs. Ken requested some direction from the Board before submitting the changes made to Rule R309-700 and -705.

Discussion followed.

The Board directed Ken to make some changes in Rule R309-700 and -705 – Federal SRF Loan Program, and bring them back for approval at the next Board meeting.

Fred Nelson left the Board meeting.

#### ITEM 8 – CHAIRMAN'S REPORT

Chairman Erickson asked the Board members to e-mail Ken Bousfield on any agenda items for the October 12, 2007 Board work meeting.

Chairman Erickson invited the Board members to inform the Chair of their interest in replacing Laurie McNeil on the SRF/Conservation Committee's via e-mail.

#### ITEM 9 – DIRECTORS REPORT

a) DDW's Source Protection Grant Application

Ken Bousfield reported the Division has submitted two applications for the enhancement of the State Source Protection program. Staff became aware of \$8,000,000 that has become available from EPA to be used for Source Protection. The award would be given in two separate categories: 1) Capacity Development and 2) Source Protection. Capacity Development would have \$5,000,000 and Source Protection would have \$3,000,000 available to use, if we get them.

Ken said they envision using a partnership approach in bringing the Source Protection program up to the next level. Most of Utah's water systems already have a source protection program in place.

Ken reviewed what staff has accomplished in the Source Protection program, and what staff will be doing with the water systems in the Source Protection program.

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#### b) A 40 Acre Subdivision South of Mona

Ken Bousfield reported that a developer wants to do to a 40 acre subdivision that is just south of Mona.

Ken has talked with Fred Nelson on what the Division needs to do. The Division will start with an Administrative approach.

Discussion followed.

Petra Rust left the Board meeting.

#### c) New Staff

Ken Bousfield introduced Nagendra Dev, a new staff member in the Construction Assistance Section.

Nagendra Dev gave some background information on his work and education to the Board.

Petra Rust joined the Board meeting.

Ken Bousfield gave the Board some information on the International Code Council. The Council may be requesting some involvement from the Board in the near future.

Ken said that staff received some information from the Fire officials in Sanpete County. Ken mentioned Steve Onysko will be the Division's contact.

Steve Onysko mentioned the International Code Council has a conglomeration of fire codes, zoning codes, etc. A number of years ago the Council issued an International Wildland/Urban Interlace Code. Steve gave the Board some background information on the program. The Council would like the Board to mandate the non-fire protected water systems some type of discharge other than a hydrant. The Council would like some direction from the Board. The Board may ultimately be involved with the Council.

Discussion followed.

#### <u>ITEM 10 – NEWS ARTICLES</u>

The news articles are in the packet.

## ITEM 11 – CENTRAL IRON COUNTY WATER CONSERVANCY DISTRICT'S TOUR BOOK FROM THE JULY 13, 2007 BOARD MEETING

A copy of the Tour Book is in the packet.

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#### <u>ITEM 12 – NEXT MEETING</u>

The next Board meeting will be on October 12, 2007 at 168 North 1950 West, Room 101, Salt Lake City, Utah. There will be a work meeting in the morning and lunch. The Board meeting will start at 1:00 p.m.

#### ITEM 13 – OTHER

No other business.

#### ITEM 14 – ADJOURN

Chairman Erickson stated a motion to adjourn the Board meeting was in order.

Petra Rust moved to adjourn the Drinking Water Board meeting at 3:35 p.m.

Rick Sprott seconded.

CARRIED (Unanimous)

<u>Linda Matulich</u> Recording Secretary

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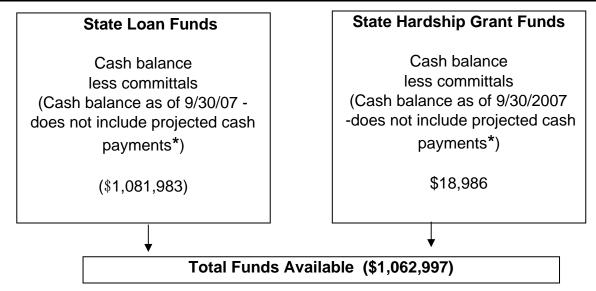
### ITEM 5

# SRF/CONSERVATION COMMITTEE REPORT

5. 1) STATUS REPORT – Ken Wilde

# DIVISION OF DRINKING WATER STATE LOAN FUNDS CASH BALANCE AS OF SEPTEMBER 30, 2007

All interest payment and investment earning are deposited to the Hardship Grant Fund



The sales tax maximum is \$3,587,500

- 1- principal payments \$2,768,943 plus interest \$688,502.
- 2- investment earings \$600,000.
- 3- FY2008 sales tax \$3,587,500.

Total Funds Available Including Projected \$6,581,948

<sup>\*</sup>Projected repayments Oct 1, 2007 to Sep 30, 2008

# DIVISION OF DRINKING WATER STATE LOAN FUNDS

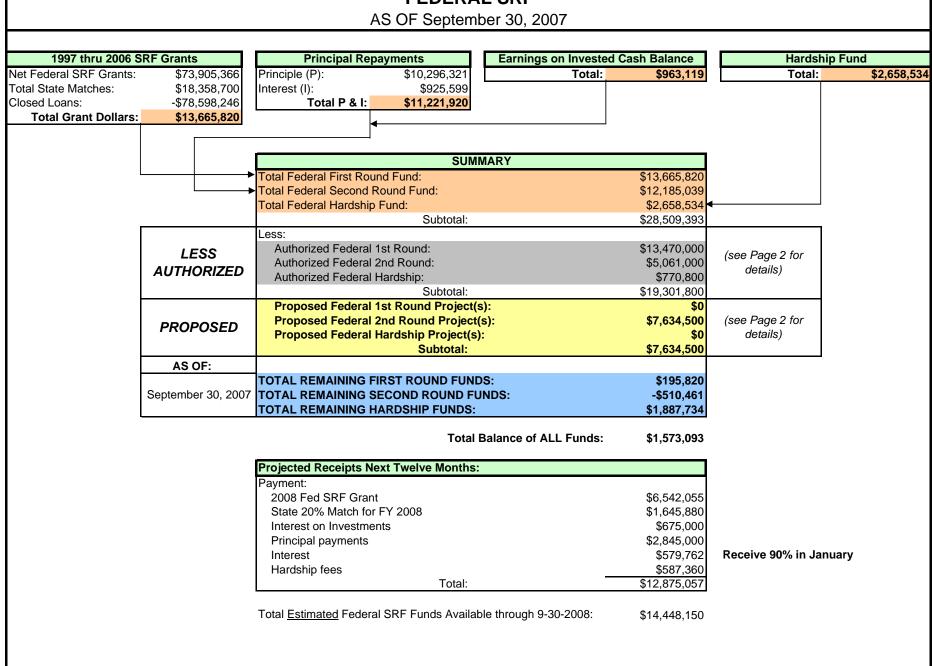
#### PROJECTS AUTHORIZED BUT NOT YET FUNDED

### AS OF SEPTEMBER 30, 2007

		Cost	Date	Date	Αι	thorized Fundir	na
Community	Loan #	Estimate	Authorized	Closed/Anticipated	Loan	Grant	Total
Garden City 2.31% 20 yr*	3S048	2,700,000	Sep-02	Oct-07	\$1,746,000		\$1,746,000
West Erda 0% 20 yr	3S074	760,000	Jun-04	?	380,000	380,000	760,000
Orderville 2.22% 30 yr	3S099	3,918,000	Nov-06	Oct-07	1,569,000	600,000	2,169,000
Escalante 2.46% 30 yr	3S104	2,160,896	Mar-07	Oct-07	1,560,000	600,896	2,160,896
Cedar Hills 2.71% 20 yr	3S108		Jul-07	Oct-07	2,090,000		2,090,000
Bear River 2.19% 20 yr	3S096		Sep-07		1,800,000	600,000	2,400,000
PLANNING LOANS/GRANTS							
Enterprise (planning loan 0% 5 yr)	3S092	7,000	May-06	Aug-07	7,000		7,000
Wellington (pl loan 2% 5 yr)	3S104	40,000	Mar-07	Sep-07	40,000		40,000
Enoch (pl loan 0% 5 yr)	3S106	36,000	May-07	Sep-07	36,000		36,000
Toquerville (pl 0% 5 yr)	3S107	16,000	Jul-07	Sep-07	16,000		16,000
Paragonah	3S110	16,250	Sep-07			16,250	16,250
							0
Total authorized but not yet funded					\$9,244,000	\$2,197,146	\$11,441,146
FY 2008 Federal SRF 20% match					\$1,645,800		\$1,645,800
DDW Board Admin Fee					134,400		134,400
Grand Total					\$11,024,200	\$2,197,146	\$13,221,346
Recently Closed:							
Circleville 2.85% 20 yr	3S105		May-07	Closed Aug 2, 2007**	222,000		222,000
Austin (planning grant)	3S102	14,000	Jan-07	Aug-07		14,000	14,000
*Garden City BAN for \$254,000 was clo	osed June 200	6.					

#### DIVISION OF DRINKING WATER

#### **FEDERAL SRF**



# DIVISION OF DRINKING WATER FEDERAL SRF PROJECTS AUTHORIZED BUT NOT YET CLOSED AS OF SEPTEMBER 30, 2007

				AS OF SE	FIEIVIDER	30, 200 <i>1</i>				
COMMUNITY		Project		Authorized Date	Closing Date Scheduled	Authori	rized From Loan Funds (1st Round)		Authorized From Loan Funds (2nd Round)	Hardship Fund
	Total	Terms	Loan #			Loan	Forgiveness	Total	Loan	
Central Iron WCD Ph II	7,870,250	2.17% int 20 yrs	3F063	Nov-06	Jun-08	3,425,000		3,425,000		
Logan #3	9,545,000	0.8% int 20 yrs	3F052	May-05	Oct-07	3,000,000		3,000,000		
St George	15,000,000	1.77% int 20 yrs	3F047	Mar-05	Jan-08	1,500,000		1,500,000	4,500,000	
Twin Creeks #2	1,200,000	0% int 30 yrs	3F028	Apr-03	Dec-07	360,000	90,000	450,000		
Woodland Kolob Acres	450,000	3.63% int 15 yrs	3F048	Mar-05	Mar-08			0	450,000	
Midvale	10,000,000	2% int, 20 yrs	3F069	Jul-07	Mar-08	5,000,000		5,000,000		
Snowville	40,000	Principle Forgive	3F046	Jul-07	?		40,000	40,000		
Greenwich		0%, 20 yrs	3F070	Jul-07	?				111,000	110,300
Portage*	1,221,500	<b>HS Grant Portion</b>	3F054	Sep-05	Loan Closed					610,500
				·						
			TOTAL (	CONSTRUCTION	AUTHORIZED:	\$ 13,285,000	\$ 130,000	\$ 13,415,000	\$5,061,000	\$ 720,800
PLANNING ADVANCES	AUTHORIZED									
Beaver Dam Water	20,000	planning loan	3F062	May-06	Dec-07	20,000		20,000		
Centerfield	50,000	planning grant	3F068	Nov-06				0		50,000
Greenwich	20,000	planning loan	3F065	Sep-06	Oct-07	20,000		20,000		
Leeds Domestic WUA	15,000	planning loan	3F066	Mar-07		15,000		15,000		
			TO	OTAL PLANNING	AUTHORIZED:	\$55,000		\$55,000	\$0	\$50,000
				TOTAL	L AUTHORIZED	CONSTRUCTION	I & PLANNING:	\$13,470,000	\$5,061,000	\$770,800
PROPOSED PROJECTS	FOR OCTOBE	R/NOVEMBER 20	07:							
Whispering Pines	220,000	Construction		Nov-07	Mar-08				220,000	
Erda Acres	2,400,000	Construction		Nov-07	Jul-08				2,400,000	
Pinon Forest SSD	29,000	Planning		Oct-07					14,500	
Woods Cross	5,000,000	Construction		Nov-07	Jun-08				5,000,000	
		TOTAL P	ROPOSED P	PROJECTS FOR		\$0		\$0		\$0
					T	OTAL PROPOSE	D PROJECTS:	\$0	\$7,634,500	\$0

5. 2) PROJECT PRIORITY LIST – Karin Tatum

#### PROJECT PRIORITY LIST

#### Three projects are being added to the Project Priority List:

Erda Acres Water Company, located in Tooele County, scored 39.6 points.

Erda Acres Special Service District is in need of extra capacity in their storage tank in order to address low pressure issues within their system and to meet fire suppression requirements. With the presence of a new subdivision being constructed adjacent to the Erda Acres water system and in order to absorb those homes into their system, Erda Acres will be increasing the size of their transmission pipe, updating the chlorination facilities, rehabilitating their well and adding water meters and distribution pipe. The proposed project cost is \$2,400,000.

#### Whispering Pines, located in Sanpete County, scored 23.1 points.

The project consists of replacing old pumps, installing the necessary valves, meters, sample taps and other appurtenances at the wells, as well as delivering electrical power to the well houses. The proposed project cost is \$220,000.

#### Woods Cross, located in Davis County, scored 8.0 points.

The project consists of three parts:

- 1) developing a new culinary water well to replace existing sources that have been contaminated.
- 2) constructing a new culinary water storage reservoir to replace reservoirs that are old and no longer easily maintained, and
- 3) installing new 12" diameter distribution lines along 500 South Street and Redwood Road and installing a new pressure reducing station.

The project has been designed to meet current system needs in addition to satisfying a portion of future needs associated with projected growth. The proposed project cost is \$5,000,000.

#### **SRF/Conservation Committee Recommendation:**

The Drinking Water Board approve the updated Project Priority List.

Driority	Total Requested  System Name  54.3 TWIN CREEKS SSD	County 3F028 Wasatch Iron		Project Pri	\$301,9		Authorized \$85,016,700	Pro	oject Se	egmer	nts	Partial Eligibility Question Avg. of App. Proj. Seg's.	Monthly Water Bill	Median AGI
Driority	Total Requested  System Name  54.3 TWIN CREEKS SSD  51.0 CENTRAL IRON CO WCD  39.6 ERDA ACRES WATER COMP	County 3F028 Wasatch Iron	Pop. 54	ProjectTitle	. ,		Ī	Pro	oject Se	egmer	nts	al Eligibility of App. Pr	Jonthly W	ın AGI
. !	54.3 TWIN CREEKS SSD 51.0 CENTRAL IRON CO WCD 39.6 ERDA ACRES WATER COMP	County 3F028 Wasatch Iron	Pop. 54	ProjectTitle	. ,		\$85,016,700	Pro	oject Se	egmer	nts	of Ap	Aont	n A(
	54.3 TWIN CREEKS SSD 51.0 CENTRAL IRON CO WCD 39.6 ERDA ACRES WATER COMP	3F028 Wasatch Iron	54	,	Project Total									<u>.a</u>
. !	51.0 CENTRAL IRON CO WCD 39.6 ERDA ACRES WATER COMP	Iron			,	Request DWB	Funds Authorized	Sour	Treat.	Stor.	Dist	Parti Avg.	Avg.	Med
:	39.6 ERDA ACRES WATER COMP			Source Redev, Treat., Stor., Distr	\$700,000	\$450,000	\$450,000	50	40	50	75	53.7	\$11.95	\$15,0
			2,082	Regionalization	\$7,793,250	\$3,500,000	\$3,500,000			25	75			
	36.3 St George 3	ANY Tooele	265	Update lines, well, chlorination facility	\$2,400,000	\$2,100,000		25	25	25	25		\$45.00	
•	Oil Oil Coolgo	F047 Washington	50,000	Arsenic Treatment of Gunlock Wells	\$21,550,000	\$10,000,000	\$6,000,000		25			2	5 \$41.43	\$27,8
;	33.3 TOOELE CO SPECIAL SERV	DIST Tooele		Source, Trans, Treatment, & Storage	\$500,000	\$365,000		60	65	45	30	50	\$20.15	\$35,6
. 2	28.8 LOGAN CITY 3	F052 Cache	44,970	DeWitt Sprgs Transmission Line	\$9,200,000	\$9,200,000	\$3,345,000	N/A	N/A	N/A	30	30	\$23.17	\$23,7
:	23.1 WHISPERING PINES	Sanpete	233	Pump replacement, well equipment	\$220,000	\$220,000		50			50			\$24,7
:	22.5 ALTA TOWN	Salt Lake	367	Treatment (Antimony)	\$531,300	\$425,000			25			2	\$20.23	\$22,0
1	19.6 MIDVALE CITY	Salt Lake	12,800	4MG tank, rehabilitate well	\$9,852,500	\$5,000,000		10	0	35	10	18.3	\$27.71	\$27,3
. 1	19.2 CROYDON PIPELINE CO.	3F037 Morgan	60	New Well	\$250,000	\$250,000	\$327,000	18				18	3 \$37.50	\$34,4
. 1	15.6 WOODLAND & KOLOB ACR	3F048 Washington	?	Storage Tank, Pipeline, Pumphouse, Rights	\$296,700	\$296,700	\$450,000	20	n/a	25	20	21.6	\$25.78	\$35,0
. 1	14.0 PORTAGE TOWN	3F054 Box Elder	276	waterline	\$1,535,000	\$1,535,000	\$1,090,500	0		20	30	20	\$25.00	\$29,3
	8.0 WOODS CROSS	Davis	8,942	Storage Tank,water lines,well	\$5,000,000	\$5,000,000		15		50	35		\$14.79	\$42,3
	7.8 WOODS CROSS	Davis	5,378	Equip. Well	\$200,000	\$150,000		18				18	\$10.36	\$30,4
	5.0 SKYLINE MOUNTAIN SSD	Sanpete												
	EMERGENCY FU													
	100.0 WASHINGTON CO DISASTER	J		Source & Piping Restoration	\$1,300,000	\$1,000,000		Secu				Emergenc		
		3F049		Flood			\$15,000				-	not been	released.	
		F043		Flooding			\$205,000		Depos				-	
10	100.0 ST. GEORGE			Flooding	\$337,500	\$337,500	\$337,500		Depos	sited 3	3/05.		-	
דעחי	TF: The Garden City and C	enterfield Projec	ts have h	peen funded using other funds su	ch as State o	rSTAG The	refore they have	e he	en re	mov	ed fro	m the P	_ PI	

- 5. 3) SRF APPLICATIONS
- a) PINON FOREST SPECIAL SERVICE DISTRICT PLANNING KARIN TATUM

Pinon Forest Special Service District
Presented to Drinking Water Board
October 12, 2007

# DRINKING WATER BOARD BOARD PACKET FOR <u>PLANNING LOAN</u> AUTHORIZATION

#### **APPLICANT'S REQUEST:**

Pinon Forest Special Service District (Pinon Forest) is requesting a Planning Loan (0%, 5-yr) for the amount of \$15,000 to evaluate the most economic project to eliminate the need to haul water and to connect to the Central Utah Water Conservancy District's water system, located northwest of Duchesne.

The total cost for the planning study is \$29,000. The remaining \$14,000 will be requested from the Community Impact Board (CIB) on October 4, 2007.

#### STAFF/ SRF COMMITTEE COMMENTS:

The SRF Committee expressed support for the proposed \$15,000 loan for planning. The planning loan would allow Pinon Forest Special Service District to examine the methods and costs of eliminating the need to haul water and to address the growth in their area. Water must be hauled to several hundred homes.

Jay Franson recognizes the concerns in the area and supports the effort to, in essence, regionalize that area.

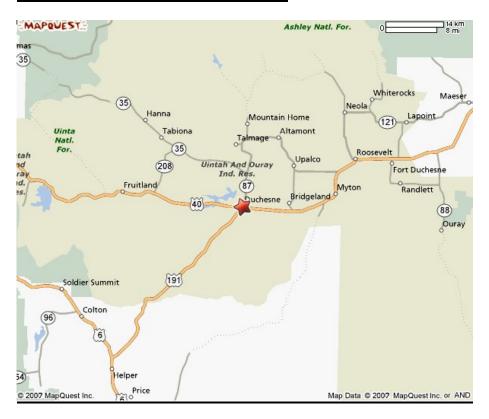
#### **SRF/Conservation Committee Recommendation:**

The Drinking Water Board authorize a \$15,000 planning loan at 0.0% interest for 5 years to Pinon Forest Special Service District.

#### **APPLICANT'S LOCATION:**

Pinon Forest Special Service District (Pinon Forest) is located on the West side of Duchesne City.

#### MAP OF APPLICANT'S LOCATION:



#### PLANNING DESCRIPTION/SCOPE OF WORK:

#### Feasibility Study Analysis

- Prepare System Map with all users that have currently signed up.
- Update Growth Projections
- Update Water Rights
- Water Source/Treatment
- Water Distribution
- Water Storage
- Alternatives
- Cost Estimate for all Alternatives
- Call out most reasonable and economical Alternative
- Phasing
- Proposed Financing Plan
- Rate Analysis
- Complete Report
- Pursue Funding

Pinon Forest Special Service District October 12, 2007 Page 3

#### **POPULATION GROWTH:**

The Duchesne County area is estimated to grow at an approximate rate of 1% projected over the next 30 years (according to the 2005 Governor's Office of Planning and Budget).

#### **IMPLEMENTATION SCHEDULE:**

September 2007
September 2007
October 2007
February 2008
March 2008
July/August 2008
Summer 2009

#### **COST ESTIMATE:**

Preliminary Engineering Analysis:	\$29,000.00
Total Planning Cost:	\$29,000.00

#### **COST ALLOCATION:**

The cost allocation proposed for the project is shown below.

Funding Source	<u>Cost Sharing</u>	Percent of Project
DWB Grant	\$15,000.00	51%
CIB Grant	<u>\$14,000.00</u>	<u>49%</u>
Total Amount:	\$29,000.00	100%

#### **SPECIAL CONDITIONS:**

- 1. Complete all items as stated in the Engineering Agreement between Pinon Forest Special Service District and Sunrise Engineering.
- 2. In addition to the Scope of Work provided from Sunrise, provide a list of Alternatives and costs associated with those Alternatives.
- 3. Review and Complete ALL items to be evaluated in a Capacity Assessment, such as, technical, managerial and financial capacity.

Pinon Forest Special Service District October 12, 2007 Page 4

APPLICANT: Pinon Forest Special Service District

P.O. Box 706

Duchesne, Utah 84021

PRESIDING OFFICIAL &

CONTACT PERSON: Kathy Allen, Chairperson

P.O. Box 706

Duchesne, Utah 84021 Telephone: 435-548-2210

CONSULTING ENGINEER: Robert Worley, P.E. & Doug Nielsen

Sunrise Engineering 25 East 500 North Fillmore, Utah 84631 Telephone: (435) 743-6151

Fax: (435) 743-7900

Email: rworley@sunrise-eng.com

FINANCIAL CONSULTANT: None Appointed

ATTORNEY: None Appointed

# 5. 4) PROPOSED AGREEMENT BETWEEN

# THE DRINKING WATER BOARD AND THE RURAL WATER ASSOCIATION OF UTAH

- Ken Wilde

Rural Water Association of Utah Water Education Program Proposal Presented to the Drinking Water Board October 12, 2007

#### WATER EDUCATION PROGRAM PROPOSAL by RURAL WATER ASSOCIATION OF UTAH

#### **INTRODUCTION:**

The Division of Drinking Water staff and Drinking Water Board have been trying to find ways to stop the proliferation of small water systems that either cannot or will not comply with division rules. For the past two years or so Division staff have been making contacts with people and organizations who could give them exposure with county commissioners, planners, and other local officials, but this effort has been progressing slowly, principally because we have not had much time to devote to this effort.

#### **RWAU PROPOSAL:**

Rural Water Association of Utah (RWAU) has proposed that the Board enter into a contract with them, RWAU, to perform the scope of work described in the attached proposal. The scope of work is fairly basic, so if the Board approves the proposal we will need to add some specifics to the scope of work in the contract; such as details about the Board's and Division's rolls, including on-going development and refinement of goals, measures, bench marks, oversight, etc. If approved, we plan to establish a task force with people who would work with RWAU to provide the necessary guidance and oversight.

Last winter the Legislature gave the Board authority to pay for Educational Activities with SRF funds. It is proposed that the cost of this effort be paid for with Hardship Grant Funds.

#### SRF/CONSERVATION COMMITTEE RECOMMENDATION:

- 1. That the Board approve the RWAU proposal and direct Division Staff to proceed with the preparation of a contract with RWAU. Initially, the cost of this contract will be paid for with Hardship Grant Funds.
- 2. The contract will run for one year and be renewable, if mutually acceptable.
- 3. Give the Executive Secretary authority to pay for all or part of the cost of this contract with another source of funding, if able to find another source of funding.

#### **RWAU/UDDW Water Education Program**

- Provide education to County governing bodies on Capacity Development needs of new water systems.
- Provide education to County Planning Commissions on Capacity Development needs of new water systems.
- Assist Counties in developing Capacity Development, Construction, and Regionalization Requirements for new water systems.
- Assist Counties in determining the proper Culinary Water Authorities within their jurisdiction.
- Assist the UDDW in making Capacity Development Assessments of systems making application for funds under the State SRF Program.
- Provide education to the general public on drinking water issues.
- Assist water systems with specific public education needs.
- Assist and participate in Water Week activities including generation of materials and activities.
- In conjunction with the RWAU Source Water and Ground Water Protection programs, assist Counties in developing Source Protection Ordinances.
- Act as a liaison between and in concert with UDDW and County Governing Bodies.

#### Rural Water Association Assistance Contract Amount For Education Specialist January 1, 2007 to December 31, 2007

#### **BUDGET**

**A.** Education Specialist

Direct Program Costs:

Salaries and Fringe Benefits \$60,343.00

Travel 25,000.00 Supplies 5,000.00

TOTAL DIRECT COSTS \$90,343.00

TOTAL INDIRECT COSTS \$21,401.00

Allocated shares of personnel costs for Executive Director and Office Manager, office supplies, building rental and maintenance, telecommunications

TOTAL: \$111,744.00



### RURAL WATER ASSOCIATION OF UTAH

76 Red Pine Drive • Alpine, UT 84004 • Phone: 801-756-5123 • Fax: 801-756-5036

To: Utah Drinking Water Board
From: Dale Pierson, Executive Director
Subject: Water Education Program Proposal

For quite some time, members of the Utah Drinking Water Board (UDWB), Utah Division of Drinking Water (UDDW) staff and the Rural Water Association of Utah (RWAU) Board and staff have discussed the need to educate county decision makers and the general public on drinking water needs and issues. In order to fulfill this need and solve issues which appear to be currently endemic to the growth and expansion of Utah's water community, RWAU would propose that the UDWB fund, through its "SRF Hardship Grant Program", a Water Education Program to be administered through RWAU. Accompanying this letter is an outline of those items which the proposed program would address along with a proposed budget for the program.

We would perceive this program as working closely with UDDW staff, in a similar fashion to our existing State Circuit Rider Program. The program would then address specific problems or issues that affect UDDW and the UDWB as well as providing general education so that issues would be less likely to occur.

The partnership between the UDDW and RWAU has been long standing and extremely successful. We believe, and know that you will agree, that this expansion of our partnership will only lead to continued success in addressing issues vital to the State of Utah.

Thank you for your consideration.

### AGENDA ITEM 6

# OPERATOR CERTIFICATION COMMISSLION RENEWALS

## OPERATOR CERTIFICATION COMMISSION RENEWALS

Craig Fahrni and Mark Clark's Operator Certification Commission terms of office are set to expire the end of 2007. Both Mark and Craig have expressed a willingness to continue serving on the Commission. Each Commission member is appointed to a three-year term. A Current Commission Roster and Proposed Commission Roster are attached.

#### **Staff Recommendation:**

Staff recommends that both Mark Clark and Craig Fahmi be reappointed to another term of office on Utah's Operator Certification Commission.

#### **CURRENT** OPERATOR CERTIFICATION COMMISSION

Member	Agency Represented	Date of Original Appointment	Term of Office Expires
Craig Fahmi Jordan Valley Water Conservancy District 8215 South 1300 West West Jordan, Utah 84084 Phone: 256-4401 Fax: (801) 565-4394	American Water Works Association – Distribution	January 1, 2001	December 31, 2007
Mark Clark Weber Basin Water Conservancy District 2837 East Highway 193 Layton, Utah 84040 Phone: 771-1677 Fax: (801) 544-0103	American Water Works Association – Treatment	January 1, 2001	December 31, 2007
Gary M. Larsen P.O. Box 72 Millville, Utah 84326 Phone: (435) 750-0924	Rural Water Association of Utah	January 1, 2007	December 31, 2010
Jay Franson, P.E., Mayor Highland City 5578 West 10400 North Highland City, Utah 84003 Phone: (801) 756-0309 Fax: (801) 756-0481	Drinking Water Board	January 1, 2002	December 31, 2008
James Callison, Environmental Technology Utah Valley State College 800 West 1200 South Orem, Utah 84058-5999 Phone: (801) 222-8000, x 8677 Fax: (801) 226-5207	Joint Training Coordinating Committee	January 1, 1993	December 31, 2008
Dr. David K. Stevens Utah State University Department of Civil & Environmental Engineering Logan, Utah 84331-4110 Phone: (435) 797-3229 Fax: (435) 750-1185	Higher Education	January 1, 1987	December 31, 2009
Bart Simons Provo City 1371 West 1730 North Provo, Utah 84604 Phone: 852-6782 Fax: (801) 852-6778	Utah League of Cities & Towns	January 1, 1995	December 31, 2009

8/14/7

Term is: 3 years OpCert

#### **PROPOSED** OPERATOR CERTIFICATION COMMISSION

Member	Agency Represented	Date of Original Appointment	Term of Office Expires
Craig Fahmi Jordan Valley Water Conservancy District 8215 South 1300 West West Jordan, Utah 84084 Phone: 256-4401 Fax: (801) 565-4394	American Water Works Association – Distribution	January 1, 2001	December 31, 2010
Mark Clark Weber Basin Water Conservancy District 2837 East Highway 193 Layton, Utah 84040 Phone: 771-1677 Fax: (801) 544-0103	American Water Works Association – Treatment	January 1, 2001	December 31, 2010
Gary M. Larsen P.O. Box 72 Millville, Utah 84326 Phone: (435) 750-0924	Rural Water Association of Utah	January 1, 2007	December 31, 2010
Jay Franson, P.E., Mayor Highland City 5578 West 10400 North Highland City, Utah 84003 Phone: (801) 756-0309 Fax: (801) 756-0481	Drinking Water Board	January 1, 2002	December 31, 2008
James Callison, Environmental Technology Utah Valley State College 800 West 1200 South Orem, Utah 84058-5999 Phone: (801) 222-8000, x 8677 Fax: (801) 226-5207	Joint Training Coordinating Committee	January 1, 1993	December 31, 2008
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Bart Simons Provo City 1371 West 1730 North Provo, Utah 84604 Phone: 852-6782 Fax: (801) 852-6778	Utah League of Cities & Towns	January 1, 1995	December 31, 2009

8/14/7

Term is: 3 years OpCert

### ITEM 7

# CROSS CONNECTION COMMISSION RENEWALS - Mike Moss

# CROSS CONNECTION CONTROL COMMISSION RENEWALS and REPLACEMENT

The Cross Connection Control Commission currently has 7 members. Four of the members are up for renewal this year: Tim Collings (Salt Lake City), Jeff Tingey (Utah Chapter of the ABPA), Jay Franson (Drinking Water Board), and Frank Mills (Utah League of Cities & Towns). Each Commission member is appointed to a two-year term. A Current Commission Roster and the Proposed Commission Roster are attached.

#### **Staff Recommendations:**

The Commission recommends the Board approve Tim Collings, Jeff Tingey, Jay Franson, and Frank Mills to serve another 2-year term.

### **CURRENT**

### **Cross Connection Control Commission**

Member	Agency Represented	Agency Contact	Date of Original Appointment	Term of Office Expires
Dan B. Smith Utah Pipe Trades Educational Program 900 North 400 West, Suite 4 North Salt Lake, Utah 84054-2636 Phone: (801) 295-6198 Fax: (801) 295-5864	Plumbers and Pipe Trades	Dan B, Smith 295-6198	December 16, 2004	December 31, 2008
Gary Jenkins Backflow Supply 962 East 900 South Salt Lake City, Utah 84105 Phone: (801) 355-6736 Fax: (801) 355-9233	Utah Mechanical Contractors Association	Bob Bergman 364-7768	January 1, 1989	December 31, 2008
Charles Jeffs Rural Water Association of Utah 8365 North 3000 East Ephraim, Utah 84627 Phone: (435) 756-5123 Fax: (435) 756-5036	Rural Water Association of Utah	Dale Pierson 756-5123	July 14, 2006	December 31, 2008
Jay Franson, P.E., Mayor Highland City 5578 West 10400 North Highland, Utah 84003 Phone: (801) 756-0309 Fax: (801) 756-0481	Drinking Water Board	Kenneth Wilde 536-4200	January 1, 2002	December 31, 2007
Frank Mills City of Pleasant Grove 70 South 100 East Pleasant Grove, Utah 84062 Phone: (801) 785-5045 Fax: (801) 785-8925	Utah League of Cities and Towns	Kenneth Bullock 328-1601	January 1, 1998	December 31, 2007
Tim Collings Salt Lake City 451 South State Street, Suite 406 Salt Lake City, Utah 84111 Phone: (801) 535-6685 Fax: (801) 535-6297	Utah Association of Plumbing & Mechanical Officials	Stuart Murray 629-8956	December 16, 2004	<b>December 31, 2007</b>
Jeff Tingey J & C Testing & Service 1116 West 500 South Woods Cross, Utah 84057-2282 Phone: (801) 294-5290	Utah Chapter of the American Backflow Prevention Association	Jeff Tingey 294-5290	June 15, 2006	December 31, 2007

8/13/7

Term is: 2 years

xcon

### **PROPOSED**

### **Cross Connection Control Commission**

Member	Agency Represented	Agency Contact	Date of Original Appointment	Term of Office Expires
Dan B. Smith Utah Pipe Trades Educational Program 900 North 400 West, Suite 4 North Salt Lake, Utah 84054-2636 Phone: (801) 295-6198 Fax: (801) 295-5864	Plumbers and Pipe Trades	Dan B, Smith 295-6198	December 16, 2004	December 31, 2008
Gary Jenkins Backflow Supply 962 East 900 South Salt Lake City, Utah 84105 Phone: (801) 355-6736 Fax: (801) 355-9233	Utah Mechanical Contractors Association	Bob Bergman 364-7768	January 1, 1989	December 31, 2008
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Jay Franson, P.E., Mayor Highland City 5578 West 10400 North Highland, Utah 84003 Phone: (801) 756-0309 Fax: (801) 756-0481	Drinking Water Board	Kenneth Wilde 536-4200	January 1, 2002	December 31, 2009
Frank Mills City of Pleasant Grove 70 South 100 East Pleasant Grove, Utah 84062 Phone: (801) 785-5045 Fax: (801) 785-8925	Utah League of Cities and Towns	Kenneth Bullock 328-1601	January 1, 1998	December 31, 2009
Tim Collings Salt Lake City 451 South State Street, Suite 406 Salt Lake City, Utah 84111 Phone: (801) 535-6685 Fax: (801) 535-6297	Utah Association of Plumbing & Mechanical Officials	Stuart Murray 629-8956	December 16, 2004	December 31, 2009
Jeff Tingey J & C Testing & Service 1116 West 500 South Woods Cross, Utah 84057-2282 Phone: (801) 294-5290	Utah Chapter of the American Backflow Prevention Association	Jeff Tingey 294-5290	June 15, 2006	December 31, 2009

8/14/7

Term is: 2 years

xcon

## ITEM 8

## 2008 BOARD MEETING SCHEDULE

#### DRINKING WATER BOARD 2008 MEETING SCHEDULE

DATE	PLACE	TOUR/WORK MEETING	NOTES
January 11, 2008	Salt Lake City	Tour & Board meeting	Tour Metropolitan Water District of Salt Lake and Sandy's Point of the Mountain WTP
February 29, 2008	St. George	Rural Water Conference & Board meeting	
May 9, 2008	To be determined	Tour and Board meeting	To be determined
July 11, 2008	To be determined	Tour and Board meeting	To be determined
September 12, 2008	Price	Utilities meeting & tour Board meeting	Meet with Price River Water Improvement District & Helper
November 14, 2008	Salt Lake City	Combined with the Water Quality Board	

# ITEM 9 DEQ FEE DOCUMENT HEARING

#### **PUBLIC NOTICE**

The Utah Department of Environmental Quality has completed a draft of the 2008/2009 fiscal year Fee Schedule for the Department.

The public comment for the Draft Fee Schedule will commence on September 25, 2007 with a notification being published in the Salt Lake Tribune and the Deseret News. The comment period will end on October 25, 2007 at 5:00 p.m. A public hearing has been scheduled to receive oral comment on the Draft Fee Schedule on Thursday, October 25, 2007, 1 p.m. until 4:00 p.m. in room 101, Department of Environmental Quality, 168 North 1950 West, Salt Lake City, Utah.

Written comments must be received no later than 5 p.m. on October 25, 2007, and should be addressed to:

Steven Higley
Utah Department of Environmental Quality
Office of Support Services
168 North 1950 West
Salt Lake City, Utah 84116

A copy of the Draft Fee Schedule is available for review between the hours of 8 a.m. and 5 p.m., Monday through Friday, at the following address:

Department of Environmental Quality 1<sup>st</sup> Floor Reception Desk 168 North 1950 West Salt Lake City, Utah

In addition, a copy of the Draft Fee Schedule is available on UDEQ's website at: <a href="http://www.deq.utah.gov/draft-fy09-feeschedule.pdf">http://www.deq.utah.gov/draft-fy09-feeschedule.pdf</a>

For further details or questions concerning the Draft Fee Schedule, contact Laurie Leib, at the Department of Environmental Quality, (801) 536-4440.

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this hearing should notify Human Resources, (801) 536-4414, 168 North 1950 West, 2<sup>nd</sup> Floor, Salt Lake City, Utah 84116, at least three working days prior to the hearing.

# ITEM 10 OPEN AND PUBLIC MEETING ACT

#### **OPEN AND PUBLIC MEETING ACT**

Pursuant to Utah Code Annotated, Section 52-4-303(2) the Attorney General is to provide notice on at least a yearly basis to all public bodies subject to the "Open and Public Meeting Act" as to any material changes to the Act's requirements for the conduct of meetings.

As part of the on-going effort to provide this notice, I request that the attached summary of changes prepared by the Office of Legislative Research and General Counsel be distributed to relevant personnel for their review.

Thank you for your attention and assistance.

David Geary Assistant Attorney General, State Agency Counsel Division

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#### OFFICE OF LEGISLATIVE RESEARCH & GENERAL COUNSEL



MICHAEL E. CHRISTENSEN

Director

M. GAY TAYLOR

General Counsel

Utah State Capitol Complex House Building, Suite W210 PO Box 145210 Salt Lake City, Utah 84114-5210 (801) 538-1032 • fax 538-1712 http://www.le.utah.gov

# Summary of 11 Key Changes to the Open and Public Meetings Act with Statewide Impact 2007 General Session

Key Change	Bill Language
1. Authorizes the creation of the Utah Public Notice Website to assist the public to find, search, and subscribe to posted public notices of any public body in the state (administered by the Division of Archives and Records Services)	"(2) There is created the Utah Public Notice Website to be administered by the Division of Archives and Records Service.  (3) The website shall consist of an Internet website provided to assist the public to find posted public notices of a public body of the state and its political subdivisions as required under Title 52, Chapter 4, Open and Public Meetings Act, and under other state statutes or state agency rules.  (4) The division, with the technical assistance of the Department of Technology Services, shall create the website which shall:  (a) allow a public body, or other certified entity, to easily post any public notice information that the public body or other entity is required to post under statute;  (b) allow the public to search the public notices by:  (i) public body name;  (ii) date of posting of the notice;  (iii) date of any meeting or deadline included as part of the public notice; and (iv) any other criteria approved by the division;  (c) allow the public to search and view past, archived public notices;  (d) allow a person to subscribe to receive updates and notices associated with a public body or a particular type of notice;  (e) be easily accessible by the public from the State of Utah home page;  (f) have a unique and simplified website address;  (g) be directly accessible via a link from the main page of the official state website; and (h) include other links, features, or functionality that will assist the public in obtaining and reviewing information in relation to public notices posted on the website, as may be approved by the division.  (5) The division shall be responsible for:  (a) establishing and maintaining the website, including the provision of equipment, resources, and personnel as is necessary;  (b) providing a mechanism for public bodies or other certified entities to have access to the website for the purpose of posting and modifying notices; and (c) maintaining an archive of all notices posted to the website shall be the responsibility of the public body or other entity po

	Key Change	Bill Language
2.	The Division of Archives and Records Services is required to notify all public bodies of the Utah Public Notice  Website and provide periodic training to public bodies on its use	"(1) The division shall provide notice of the provisions and requirements of this chapter to all public bodies that are subject to the provision of Subsection 52-4-202(3)(a)(ii).  (2) The division shall, as necessary, provide periodic training on the use of the Utah Public Notice Website to public bodies that are authorized to post notice on the website."  H.B. 222 enacted Section 63F-1-702
3.	Beginning April 1, 2008, a notice of a public meeting must be posted on the Utah Public Notice Website, with some exceptions for municipalities and service districts that have an annual budget of less than \$1 million	"(3) (a) Public notice shall be satisfied by:  [(a)] (i) posting written notice:  (A) at the principal office of the public body, or if no principal office exists, at the building where the meeting is to be held; and  (B) beginning April 1, 2008 and except as provided in Subsection (3)(b), on the Utah Public Notice Website created under Section 63F-1-701; and  [(b)] (ii) providing notice to:  [(ii)] (A) at least one newspaper of general circulation within the geographic jurisdiction of the public body; or  [(iii)] (B) a local media correspondent.  (b) A public body of a municipality under Title 10, Utah Municipal Code, a special district under Title 17A, Special Districts, or a local district under Title 17B, Chapter 2, Local Districts, is encouraged, but not required, to post written notice on the Utah Public Notice Website, if the municipality or district has a current annual budget of less than \$1 million."  H.B. 222 amendments to Section 52-4-202
4.	A public body complies with providing notice of a meeting to a newspaper or local media correspondent if the notice is provided by subscription to the Utah Public Notice Website	"(3)(c) A public body is in compliance with the provisions of Subsection (3)(a)(ii) by providing notice to a newspaper or local media correspondent under the provisions of Subsection 63F-1-701(4)(d)."  H.B. 222 amendments to Section 52-4-202
5.	Prohibits a court from voiding a final action of a public body for failure to post the notice on the Utah Public Notice Website due to unforeseen technology failure	"(1)(b) A court may not void a final action taken by a public body for failure to comply with the posting written notice requirements under Subsection  52-4-202(3)(a)(i)(B) if:  (i) the public body otherwise complies with the provisions of Section 52-4-202; and  (ii) the failure was a result of unforeseen Internet hosting or communication technology failure."  H.B. 222 amendments to Section 52-4-302

	Key Change	Bill Language
6.	The name of any person who is recognized by the presiding member of the public body that provided testimony or comments and the substance in brief of the public's testimony or comments must be in the minutes	"(2) Written minutes of an open meeting shall include:  (a) the date, time, and place of the meeting; (b) the names of members present and absent; (c) the substance of all matters proposed, discussed, or decided by the public body [including] which may include a summary of comments made by members of the public body; (d) a record, by individual member, of [votes] each vote taken by the public body; (e) the name of each person who is not a member of the public body, and upon recognition by the presiding member of the public body, provided testimony [and] or comments to the public body; (f) the substance, in brief, of [their] the testimony or comments provided by [each person named in] the public under Subsection (2)(e); and [(f)] (g) any other information that any member requests be entered in the minutes or recording."  H.B. 10 amendments to Section 52-4-203
7.	Notice of an emergency meeting shall include the time, place, and topics to be considered	"(5) (a) The notice requirement of Subsection (1) may be disregarded if:  (i) because of unforeseen circumstances it is necessary for a public body to hold an emergency meeting to consider matters of an emergency or urgent nature; and  (ii) the public body gives the best notice practicable [is given:] of:  (A) the time and place of the emergency meeting; and  (B) the topics to be considered at the emergency meeting."  H.B. 204 amendments to Section 52-4-202
8.	Clarifies that, at the discretion of the presiding member of the public body, topics raised by the public may be discussed at a meeting even if the topics have not been placed on the agenda, if no final action is taken on the topic raised at the meeting	"(6)(b) Subject to the provisions of Subsection (6)(c), and at the discretion of the presiding member of the public body, a topic raised by the public may be discussed during an open meeting, even if the topic raised by the public was not included in the agenda or advance public notice for the meeting.  [(b)](c) Except as provided in Subsection (5) [and Subsection (6)(c)], relating to emergency meetings, a public body may not [consider a topic] take final action on a topic in an open meeting [that is not] unless the topic is:  (i) listed under an agenda item [under] as required by Subsection (6)(a); and (ii) included with the [advanced] advance public notice [in accordance with] required by this section.  [(c) A topic not listed on the open meeting agenda that is raised during an open meeting may be discussed but no final action may be taken by the public body during that meeting.]"  H.B. 204 amendments to Section 52-4-202
9.	All special districts including dependent special districts with annual budget expenditures of \$50,000 or less shall keep either written minutes or a recording of their open meetings	"(7) Either written minutes or a recording shall be kept of:  (a) an open meeting that is a site visit or a traveling tour, if no vote or action is taken by the public body; and  (b) an open meeting of [an independent] a special district as defined under Title 17A, Special Districts, or a local district under Title 17B, Chapter 2, Local Districts, if the district's annual budgeted expenditures for all funds, excluding capital expenditures and debt service, are \$50,000 or less."  H.B. 257 amendments to Section 52-4-203

Key Change	Bill Language
10. A public body includes a body created by the Utah Constitution	"(7) (a) "Public body" means any administrative, advisory, executive, or legislative body of the state or its political subdivisions that:  (i) is created by the Utah Constitution, statute, rule, ordinance, or resolution;  (ii) consists of two or more persons;  (iii) expends, disburses, or is supported in whole or in part by tax revenue; and (iv) is vested with the authority to make decisions regarding the public's business."  H.B. 10 amendment to Section 52-4-103  H.B. 204 amendments to Section 52-4-103
11. Requires meeting <b>recordings to be labeled</b> with the date, time, and place of the meeting	"[(2)] (3) A recording of an open meeting shall:  (a) be a complete and unedited record of all open portions of the meeting from the commencement of the meeting through adjournment of the meeting[-]; and (b) be properly labeled or identified with the date, time, and place of the meeting."  H.B. 10 amendments to Section 52-4-203

**Note:** Each bill is effective on April 30, 2007.

**Sources:** H.B. 10 Open and Public Meetings Act Amendments (*Rep. W. Harper*)

H.B. 204 Modifications to Open and Public Meetings (Rep. S. Wyatt)

H.B. 222 Open and Public Meetings Act - Electronic Notice Revisions (Rep. J. Dougall)

H.B. 257 Open and Public Meetings Act Amendments (Rep. G. Donnelson)

#### **ITEM 11**

FIVE YEAR RENEWAL ADOPTION FOR: RULE 305-2 – ELECTRONIC MEETING RULE AND R305-3 – EMERGENCY MEETING RULE – Laura Lockhart

#### PROPOSED RE-ADOPTION OF RULES R305-2 AND R305-3

# GOVERNING ELECTRONIC MEETINGS AND EMERGENCY MEETINGS

Utah Code Annotated §52-4-207 (previously § 52-4-7.8) requires agencies to adopt rules governing electronic meetings before they can hold such meetings. Electronic meetings include those where some board members meet in person, but others – or other meeting participants -- participate by telephone. R305-2 was adopted to meet the requirements of this statute.

Utah Code Annotated §52-4-202(5) (previously §52-4-6) allows boards to hold emergency meetings to address urgent issues, provided that attempts have been made to notify each board member, and to notify the public. The Attorney General's Office has recommended that agencies adopt rules identical to our R305-3 in order to define appropriate best efforts to make these notifications. The model rule also specifies certain procedures boards should follow when they hold emergency meetings.

#### **Staff Recommendation:**

The Attorney General's Office, on behalf of the Executive Secretary, recommends reauthorization of these rules. Note that non-substantive changes will have to be made to each rule to update the statutory reference.

#### **R305-2.** Electronic Meeting.

R305-2-1. Purpose.

R305-2-2. Authority.

R305-2-3. Procedure.

#### R305-2-1. Purpose.

Section 52-4-7.8 requires any public body that convenes or conducts an electronic meeting to establish written procedures for such meetings. This rule establishes procedures for conducting meetings of the Department of Environmental Quality and the Boards established within the Department in accordance with Section 19-1-106.

#### **R305-2-2.** Authority.

This rule is established under the authority of Sections 19-1-201(k) and 202(1)(a).

#### R305-2-3. Procedure.

The following provisions govern any meeting at which one or more Board members appear telephonically or electronically pursuant to Section 52-4-7.8.

- (1) If one or more members of a Board may participate electronically or telephonically, public notice of the meeting shall so indicate. In addition the notice shall specify the anchor location where the members of the Board not participating electronically or telephonically will be meeting and where interested persons and the public may attend, monitor, and participate in the open portions of the meeting.
- (2) Notice of the meeting and the agenda shall be posted at the anchor location. Written or electronic notice shall also be provided to at least one newspaper of general circulation within the state and to a local media correspondent. These notices shall be provided at least 24 hours before the meeting.
- (3) Notice of the possibility of an electronic meeting shall be given to the Board members at least 24 hours before the meeting. In addition, the notice shall describe how a Board Member may participate in the meeting electronically or telephonically.
- (4) When notice is given of the possibility of a Board member appearing electronically or telephonically, any board member may do so and shall be counted as present for the purposes of a quorum and may fully participate and vote on any matter coming before the Board. At the commencement of the meeting, or at such a time as any Board member initially appears electronically or telephonically, the chair shall identify for the record all those who are appearing telephonically or electronically. Votes by members of the Board who are not at the physical location of the meeting shall be confirmed by the Chair.
- (5) The anchor location, unless otherwise designated in the notice, shall be at the offices of the Department of Environmental Quality, 160 North 1950 West, Salt Lake City, Utah 84116. The anchor location is the physical location from which the electronic meeting originates or from where the participants are connected. In addition, the anchor location shall have space and facilities so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

Annotations

References: 19-1-201(k), 19-1-202(1)(a).

History

History: 25154, NEW, 11/08/2002.

#### **R305-3.** Emergency Meeting.

R305-3-1. Purpose.

R305-3-2. Authority.

R305-3-3. Procedure.

#### R305-3-1. Purpose.

The Department of Environmental Quality and the Boards established within the Department in accordance with Section 19-1-106 recognize that there may be times when, due to the necessity of considering matters of an emergency or urgent nature, the public provisions of Sections 52-4-6(1), (2), and (3) cannot be met. Pursuant to Sections 52-4-6(5), under such circumstance those notice requirements need not be followed but rather the best notice practicable shall be given.

#### **R305-3-2.** Authority.

This rule is enacted under the authority of Sections 63-46a-3 and 19-1-201(k) and 202(1)(a).

#### R305-3-3. Procedure.

- (1) No emergency meeting shall be held unless an attempt has been made to notify all members of the Board of the proposed meeting and a majority of the convened Board votes in the affirmative to hold such an emergency meeting.
- (2) Public notice of each emergency meeting shall be provided as soon as practicable and shall include at minimum the following:
- (a) The agenda and notice of the meeting shall be posted in writing at the offices of the division or department.
- (b) If members of the Board may appear electronically or telephonically, each such notice shall specify the anchor location for the meeting at which all interested persons and members of the public may attend, monitor, and participate in the open portions of the meeting;
- (c) Notice to the Board members shall advise how they may participate telephonically or electronically and be counted as present for all purposes, including the determination of a quorum;
- (d) Written, electronic or telephonic notice shall be provided to at least one newspaper of general circulation within the state and at least one local media correspondent.
- (3) If one or more members of the Board appear electronically or telephonically, the procedures governing electronic meetings shall be followed, except for the notice requirement which shall be governed by these provisions.
- (4) In convening the meeting and voting in the affirmative to hold such an emergency meeting, the Board shall affirmatively state and find what unforeseen circumstances have rendered it necessary for the Board to hold an emergency meeting to consider matters of an emergency or urgent nature such that the ordinary public notice of meetings provisions of Section 52-4-6 could not be followed.

Annotations

References: 63-46a-3, 19-1-201(k), 19-1-202(1)(a).

History

History: 25153, NEW, 11/08/2002.

ITEM 14

**LETTERS** 



# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 8

1595 Wynkoop Street DENVER, CO 80202-1129 Phone 800-227-8917 http://www.epa.gov/region08 RECEIVED
SEP 1 0 2007
Drinking Water

Ref: 8P-W-TF

SEP - 5 2007

Kenneth Bousfield, Director Utah Department of Environmental Quality Division of Drinking Water 150 North 1950 West PO Box 144830 Salt Lake City, UT 84114-4830

Re: Utah Operator Certification Program

Dear Mr. Bousfield:

I am pleased to inform you that the EPA has approved Utah's 2007 Operator Certification Program Annual Submittal.

Federal Register/Vol. 64, No 24/Friday, February 5, 1999, P. 5921, Sec. III, B.2 provides the applicable statement that: "All annual program submittals subsequent to the initial submittal must include documentation and evaluation of ongoing program implementation." After review of your state's package, we have determined that your program complies with this requirement.

Thank you for your continuing effort to maintain an effective operator certification program that helps to protect public health.

If you have any questions regarding this review, please contact me at 303-312-6260 or have your staff contact Bruce Suchomel at 303-312-6001. We appreciate the opportunity to work with you on this effort.

Sincerely.

Debra H. Thomas, Director

Water Program

cc: Kim Dyches, UT DEQ



#### State of Utah

# Department of Environmental Quality

Richard W. Sprott Executive Director

DIVISION OF DRINKING WATER Kenneth H. Bousfield, P.E. Director

Drinking Water Board
Anne Erickson, Ed.D., Chair
Myron Bateman, Vice-Chair
Ken Bassett
Daniel Fleming
Jay Franson, P.E.
Helen Graber, Ph.D.
Paul Hansen, P.E.
Petra Rust
David K. Stevens, Ph.D.
Richard W. Sprott
Ron Thompson
Kenneth H. Bousfield, P.E.
Executive Secretary

JON M. HUNTSMAN, JR. Governor

GARY HERBERT
Lieutenant Governor

September 28, 2007

Marte Green Camp Keisel Trapper Trails Council Boy Scouts of America 1200 East 5400 South Ogden, Utah 84403

Dear Mr. Green:

Subject: Water System Rating Change

As a result of your willingness to sign a Bilateral Compliance Agreement for your water system in an effort to achieve compliance with the Division of Drinking Water Rules, we hereby upgraded your water system's rating to "Corrective Action" effective immediately.

You will note that we have included a copy of your Bilateral Compliance Agreement that lists the issue that must be addressed. We suggest that you pay attention to listed actions you've agreed to perform. Should you have any questions concerning the enclosed agreement, please contact David Hansen, Environmental Scientist with the Division at (801) 536-4203.

Sincerely,

DRINKING WATER BOA

Konneth H. Bousfield, P.E.

Executive Secretary

dfh

Enclosure

cc: Farmer's Home Administration Veterans Administration Rural Development

#### **Bilateral Compliance Agreement**

This Bilateral Compliance Agreement ("BCA") sets forth the terms and conditions under which UTAH29042 Camp Kiesel Water System ("System") will come into compliance with the Drinking Water Act and correct the deficiencies outlined in the Improvement Priority Report, dated August 7, 2007. This agreement is a result of the July 31, 2007 meeting with Marte Green, Bill Wangsgard, and Glen Despain representing the Doug Fife Scout Ranch ("BSA"), and David F. Hansen and Robert Hart representing the Division of Drinking Water ("Division").

The Division agrees to: Change the water system rating of the System from "Not Approved" to "Corrective Action" upon execution of this document.

The System agrees to come into compliance by performing the action described below and meeting the deadlines set for the actions:

#### The System agrees to:

The System must develop a Cross Connection Control Program 1. The System must develop a cross connection control program and submit documentation of the program to the Division of Drinking Water. A training date will be scheduled with Mike Moss of our office for proper development of a cross connection program. The program must include the following program elements:

- a) written records of program activities; and
- b) ongoing enforcement.

The System must complete these 2 elements of the cross connection control program and send documentation demonstrating compliance to the Division no later than December 1, 2007.

If the System does not submit the requested proof and documentation by the above noted deadline this failure will result in a stipulated penalty of \$200.00 for each of the listed items not corrected. The penalty shall be assessed for each day after the specific deadline has passed until each compliance deadline has been met.

Source lacks plan approval. 2.

The System has developed a Rifle Range Spring source without proper plan approval from the Division. Plan approval is required under Utah Admin. Code R309-515-6. The system must prepare and submit to the Division the following information:

- a) a set of as-built plans of the spring development, including the items outlined in UAC R309-515-6(5)(c);
- b) a preliminary evaluation report (PER) for source protection; and
- c) analytical sample results for the parameters listed in UAC R309-515-4(5), as well as a bacteriological sample.

This information must be submitted to the Division no later than February 28, 2008.

Failure of the system to submit the above described documentation by the above noted deadlines will result in a stipulated penalty of \$1,000.00 for each of the above listed items the system fails to submit. The penalty shall be assessed for each day after the specific deadline has passed until each compliance deadline has been met.

#### 3. Camp Kiesel Storage Reservoir (ST001).

The storage reservoir has 2 identified deficiencies as listed below:

- a) the storage facility must be made secure as required in UAC R309-545-7; and
- b) the storage facility must have a proper air vent located at least 24 to 36 inches above grade and properly screened with a No. 14 mesh screen in accordance with UAC R309-545-15.

The System must correct each of the above deficiencies and send documentation to the Division no later than October 30, 2007.

Failure of the system to submit the above described documentation by the above noted deadlines will result in a stipulated penalty of \$1,000.00 for each of the above listed items the System fails to submit. The penalty shall be assessed for each day after the specific deadline has passed until each compliance deadline has been met.

#### 4. Chemical Monitoring.

Division records show the System is deficient in bacteriological and chemical monitoring as follows:

WS001 - Major bacteriological routine monitoring violation Quarter 3 of 2005

Major bacteriological routine monitoring violation Quarter 2 of 2006

Major bacteriological routine monitoring violation Quarter 3 of 2006

Major bacteriological routine monitoring violation Quarter 2 of 2007

WS001 - The Nitrate sample for the spring source is past due.

Failure of the system to submit the above samples, and subsequently the analytical results, to the Division by December 31, 2007 will result in a stipulated penalty of \$1,000.00. The penalty shall be assessed for each day after the specific deadline has passed until each compliance deadline has been met. If bacteriological monitoring cannot be met, then installation of a disinfection facility maybe required.

If the System does not comply with all of the provisions of this Bilateral Compliance Agreement the rating will be returned to "Not Approved."

Nothing in this Bilateral Compliance Agreement prohibits the Division of Drinking Water from taking further enforcement actions as necessary including, but not limited to, rating the water system back to "Not Approved". We the undersigned parties agree to the terms, conditions and deadlines set forth in this Bilateral Compliance Agreement.

Kenneth H. Bousfield Executive Secretary
Drinking Water Board
August \_\_\_\_\_, 2007

Marte Green, Manager Camp Kiesel Water System
Trapper Trails Council (BSA)
August \_\_\_\_\_, 2007



#### State of Utah

#### Department of Environmental Quality

Richard W. Sprott Executive Director

DIVISION OF DRINKING WATER Kenneth H. Bousfield, P.E. Director

Drinking Water Board
Anne Erickson, Ed.D., Chair
Myron Bateman, Vice-Chair
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Richard W. Sprott
Ron Thompson
Kenneth H. Bousfield, P.E.
Executive Secretary

JON M. HUNTSMAN, JR. Governor

GARY HERBERT Lieutenant Governor

September 28, 2007

Marte Green
Doug Fife Scout Ranch
Trapper Trails Council
Boy Scouts of America
1200 East 5400 South
Ogden, Utah 84403

Dear Mr. Green:

Subject: Water System Rating Change

As a result of your willingness to sign a Bilateral Compliance Agreement for your water system in an effort to achieve compliance with the Division of Drinking Water Rules, we hereby upgraded your water system's rating to "Corrective Action" effective immediately.

You will note that we have included a copy of your Bilateral Compliance Agreement that lists the issue that must be addressed. We suggest that you pay attention to listed actions you've agreed to perform. Should you have any questions concerning the enclosed agreement, please contact David Hansen, Environmental Scientist with the Division at (801) 536-4203.

Sincerely,

DRINKING WATER BOARD

Kenneth H. Bousfield, P.E.

Executive Secretary

dfh

Enclosure

cc: Farmer's Home Administration Veterans Administration Rural Development

#### Bilateral Compliance Agreement

This Bilateral Compliance Agreement ("BCA") sets forth the terms and conditions under which UTAH02065 Doug Fife Scout Ranch Water System ("System") will come into compliance with the Drinking Water Act and correct the deficiencies outlined in the Improvement Priority Report, dated August 1, 2007. This agreement is a result of a the July 31, 2007 meeting with Marte Green, Bill Wangsgard, and Glen Despain representing the Doug Fife Scout Ranch ("BSA"), and David F. Hansen and Robert Hart representing the Division of Drinking Water ("Division").

The Division agrees to: Change the water system rating of the System from "Not Approved" to "Corrective Action" upon execution of this document.

The System agrees to come into compliance by performing the action described below and meeting the deadlines set for the actions:

1. The System must develop a Cross Connection Control Program

The System must develop a cross connection control program and submit documentation of the program to the Division of Drinking Water. A training date will be scheduled with Mike Moss of our office for proper development of a cross connection program. The program must include the following program elements:

- a) the staff must be trained in cross connection control;
- b) the System must provide written records of program activities to the Division; and
- c) the System must show that there is ongoing enforcement.

The System must complete these 3 elements of the cross connection control program and send documentation demonstrating completion to the Division no later than November 1, 2007.

If the System does not submit the requested proof and documentation by the above noted deadline this failure will result in a stipulated penalty of \$200.00 for each of the listed items not corrected. The penalty shall be assessed for each day after the specific deadline has passed until each compliance deadline has been met.

2. The WS001 Source lacks plan approval.

The System has developed Well #1 (WS001) without proper plan approval from the Division. Plan approval is required under in Utah Admin. Code R309-515-6. The system must prepare and submit to the Division the following information:

- a) a set of as-built plans of the well development, including the items outlined in UAC R309-515-6(5)(c);
- b) a Preliminary Evaluation Report (PER) for source protection; and,
- c) analytical sample results following the parameters in UAC R309-515-4(5), as well as a bacteriological sample.

This information must be submitted to the Division no later than February 28, 2008.

If the System does not submit the requested proof and documentation by the above noted deadline this failure will result in a stipulated penalty of \$1,000.00 for **each** of the listed items (a, b, or c, above) not submitted. The penalty shall be

assessed for each day after the specific deadline has passed until each compliance deadline has been met.

3. WS001 Doug Fife Scout Ranch Well.

Well WS001 and the well house have 3 identified deficiencies as listed below:

a) The well discharge piping does not have: 1) a smooth nose sampling tap; 2) a pressure gauge; 3) a check valve; or 4) a flow measuring device. These items are required by UAC R309-515-6(12)(e);

b) The well is required to have a means to measure drawdown in accordance with

UCA R309-515-6(12);

c) In accordance with UAC R309-515-(13)(b) the well house floor surface must be at least 6 inches above the final ground and sloped to provide drainage. A drain-to-daylight must be provided unless this is highly impractical.

This information must be submitted to the Division no later than December 31, 2007.

If the System does not submit the requested proof and documentation by the above noted deadline this failure will result in a stipulated penalty of \$1,000.00 for each of the listed items (a, b, or c, above) not submitted. The penalty shall be assessed for each day after the specific deadline has passed until each compliance deadline has been met.

4. ST001 Doug Fife Scout Ranch Storage Reservoir.

The storage reservoir has 2 identified deficiencies as listed below:

a) The storage access lid must have all gaskets installed properly in accordance with UAC R309- 545-14; and

b) The overflow pipe must be clear of all vegetation, have at least 12 inches of freefall and be properly screened with a No. 4 mesh screen in accordance with UAC R309-545-13.

The System must correct each of the above deficiencies and send documentation to the Division no later than October 30, 2007.

If the System does not submit the requested proof and documentation by the above noted deadline this failure will result in a stipulated penalty of \$1,000.00 for each of the items listed in (3) a, b, or c and (4) a, and b, above) not submitted. The penalty shall be assessed for each day after the specific deadline has passed until each compliance deadline has been met.

Chemical Monitoring. 5.

Division records show that System is deficient with chemical monitoring as follows:

WS001 - The 92 Well is past due for Nitrate sampling. However it was reported in our meeting held July 30, 2007, that a Nitrate sample was taken on 7-25-07 and submitted to Chemtech Ford Laboratory. The System must submit the sample results to DWQ by September 1, 2007.

A.

If the System fails to submit the sample to the laboratory and provide the analytical results to the Division by the above noted deadlines this will result in a stipulated penalty of \$1,000.00. The penalty shall be assessed for each day after the specific deadline has logs sed until each compliance deadline has been met.

If the System does not comply with all of the provisions of this Bilateral Compliance Agreement the rating will be returned to "Not Approved."

Nothing in this Bilateral Compliance Agreement prohibits the Division of Drinking Water from taking further enforcement actions as necessary, including but not limited to rating the water system back to "Not Approved."

We, the undersigned parties, agree to the terms, conditions, and deadlines set forth in this

Bilateral Compliance Agreement.

enneth H. Bousfield

Executive Secretary

Drinking Water Board

August \_\_\_\_, 2007

Marte Green, Manager

Doug Fife Scout Ranch Water System

August \_\_\_\_\_, 2007

# ITEM 15 NEWS ARTICLES

CLICK HERE to print this page



State Advises Limiting Utah Lake Catfish Consumption October 2, 2007



Ed Yeates and Randall Jeppesen Reporting

Earing fish out of Utah Lake continues to be a bad idea.

Several state and federal agencies today issued an expanded warning on eating carp and catfish; especially for selected consumers.

In 2006, the Utah departments Health, Natural Resources, Environmental Quality, Wildlife Resources, and the U.S. Fish and Wildlife Service looked at what they considered "risky" samples taken from Utah Lake.

Utah Lake is certainly not one of the more pristine lakes around. A sampling a year ago and now again seems to confirm that.

Elevated samples of PCBs have triggered an expanded warning to those favoring carp or catfish fillets for dinner. Now, the recommendations are even more restrictive now than they were a year ago. Christina McNaughton, Utah Department of Health, says, "The original advisory they issued in 2006 allowed for one 8 ounce portion for an adult and a 4 ounce portion for a child.

But now, adult consumers should not eat more than a 4 ounce carp meal per month. Children, pregnant women and women who can become pregnant should not eat them at all. McNaughton says, "Mothers can actually transfer PCBs from mother to fetus and also through breast milk."

The same restrictions now apply to channel catfish, and any tissue outside the fillet should not be eaten by anyone; this includes black bullhead, channel catfish, common carp, walleye and white bass.

"PCBs are much more difficult to rid in your system, and that's solely due to the fact that they partition to your fatty lipids in the body," says McNaughton





PCBs are oil liquids or solids made up of a mixture of 209 chlorinated compounds. They come not from natural sources but from man-made chemicals. Those who are trying hard to clean up Utah Lake and who still like to fish in the lake are angry. "It's just sad but how can we change in one day the whole habits of mankind — polluting the oceans and waterways of the world," said Utah Lake fisherman Keith Morgan.

Utah Lake State Park Manager Ty Hunter says PCBs don't mix with water. They sink and attach to the sediment where catfish and carp eat them, so other fish are just fine.

He says the water is just fine for humans to swim in. "I'd rather swim here than in some of the pools with some of he stuff that we have going around," Hunter said.

Sinding PCB in lakes has been a problem around the country.

So far, inspectors have not found mercury in Utah Lake. But they have found elevated samples in other lakes and bodies of water. That too is a growing concern.

attp://www.ksl.com/index.php?nid=481&sid=1904562

10/3/2007

# Morning News

#### PCB levels in fish net Utah warning

#### By Joe Bauman

Deseret Morning News

Published: October 3, 2007

High levels of PCBs have prompted Utah officials to advise strict limitations on consuming carp and channel catfish caught in Utah Lake.

Polychlorinated biphenyls are toxic and believed capable of causing cancer. PCBs were once in common use as insulation in equipment such as electrical transformers. Use of the chemicals was banned in the late 1970s, but they persist in the environment.

The Utah departments of Natural Resources and Health and Environmental Quality, as well as the Utah Division of Wildlife Resources and the U.S. Fish and Wildlife Service, sampled fish in Utah Lake to check for contamination. Their findings prompted them to issue a fish-consumption advisory for channel catfish and to toughen a previous advisory issued about carp last year.

In May 2006, officials recommended that consumption of carp from Utah Lake be limited to a single eight-ounce serving of fillets per month for adults. The advisory said children, pregnant women and women who could become pregnant should not consume any of that fish.

The advisory issued Tuesday recommends that adults limit their consumption of the fish to no more than a single serving of four ounces of fillets per month. The same "do not consume" advice is in effect for pregnant women, women who may become pregnant and children.

For channel cattish, the Utah Department of Health said adults should not eat more than a single four-ounce serving per month, and children, pregnant women and women who could become pregnant should not eat any.

Black bullhead, white bass and walleye were tested and found safe for human consumption. But offal — all tissue except fillets — of all species tested from Utah Lake "should not be consumed due to high levels of PCBs," the officials warn.

Eating fillets of the lake's channel catfish and carp over a long period could result in taking in more PCBs than recommended by the Environmental Protection Agency. Removing skin and fat from fish fillets can significantly reduce exposure to PCBs from fish, the health advisory said.

"Any health risks associated with eating carp and channel catfish from Utah Lake are based on long-term consumption and are not tied to eating fish occasionally," according to the health advisory. "There are no health risks associated with PCBs from other uses of the lake, such as swimming, boating and water skiing."

An investigation is planned to try to identify sources of the PCBs in the lake. Meanwhile, warning signs are to be posted at access points to Utah Lake.

E-mail: bau@desnews.com

# The Salt Lake Tribune

http://www.sitrib.com

Pollution warning on Utah Lake fish

Some contain chemicals; limited eating advised

By Tom Wharton The Salt Lake Tribune Salt Lake Tribune

Article Last Updated:10/03/2007 01:34:07 AM MDT

A new fish advisory issued Tuesday for Utah Lake came as no surprise to Taylorsville's Pat Scouten,

Scoulen is an avid Utah Lake angler who has been carefully cleaning and cooking his channel catfish for several years because of suspicions that the fish contain polychlorinated biphenyls or PCBs

The Utah Departments of Health, Natural Resources and Environmental Quality issued an advisory, which will be posted at access points to Utah Lake, warning anglers about PCBs, which are mixtures of up to 209 individual chlorinated compounds that are oil fiquids or solids consisting of man-made chemicals not naturally found in the environment.

The advisory recommends that consumption of carp and channel catfish be limited to one 4-ounce meal per month for adults, and that children, pregnant women and women who can become pregnant avoid eating those fish from Utah Lake

In addition, offal - all tissue except the fillet - of Utah Lake fish, such as black bullhead, channel catfish, common carp, walleye and white bass should not be consumed

Christina McNaughton, health hazard assessment manager and toxicologist for the Utah Department of Health, said that anglers could eat fillets from black bullheads, white bass and walleye caught in the lake with little concern about PCBs.

"We're not seeing the PCBs elevated in these species because they are not bottom feeders," she said, "Channel cats and carp feed on the bottom sediments."

PCBs are found in the sediments at the bottom of Utah Lake and have no effect on water quality. That means swimming, boating or using irrigation water from Utah Lake should have no ill effects on humans.

The state agencies emphasized that any health risks associated with eating carp and channel catfish from Utah Lake are based on long-term consumption and are not tied to eating fish occasionally.

Scouten has worried about PCBs for years and the new findings just confirm what he suspected - especially in the bigger and older Utah Lake channel catfish, which are oily. PCBs concentrate in those oily areas.

"The method of preparation can negate part of the problem," he said, "When I filet a catfish, I cut out the sensory tissue along the lateral line under the skin. Then I use a high heat system of cooking. I do some heavy frying in peanut oil to extract even more of the oils. My personal theory is that younger and smaller catfish are not as potentially toxic as some of the 10- to 15-pounders people catch."

Scouten has fished Utah Lake since the 1960s, when many of the fish caught smelled strongly of creosote that came from the old Geneva Steel Plant.

Scouten does not eat many catfish caught at Utah Lake, instead preferring to consume channel cats he catches at cleaner Willard Bay that are in the 15- to 17-inch range. The angler, whose personal record channel catfish from Utah Lake is 24 pounds, said he seldom keeps any fish over 6 pounds because of concerns about PCBs and because the bigger fish just don't taste as good.

"Everything that wasn't needed was dumped into Utah Lake over the decades," he said. "That includes agricultural and industrial runoff and waste from municipalities."... The residues would scare you if you did core samples. Some of the stuff there will be with us forever."

The state agencies said information about how to prepare fish can be found at the Web site www.epa.gov/waterscience/fish/30cwafish.pdf and information about the advisory and health effects of PCBs is available at www.fishadvisories.utah.gov.

Meanwhile, the state has modified its mercury advisory for hunters on eating northern shovelers, common goldeneyes and cinnamon teal they might kill during the upcoming waterfowl season. Now, the agencies said, the three duck species can be eaten on a limited basis.

According to Division of Wildlife Resources spokesman Mark Hadley, the do-not-eat advisory was changed after biologists collected ducks from hunters during the 2005-2006 season.

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"These ducks were collected in the fall, which is the time of year when ducks are being shot and eaten," according to Hadley. "The ducks collected in the fall had less mercury in them than the ducks biologists had collected earlier that spring."

For consumption advisories on the three ducks, log on to www.waterfowladvisories.

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# The Salt Lake Tribune

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Unless pattern changes, more drought is in the works Hot summer, low snowpack has water forecasters worried for future By Joe Baird The Salt Lake Tribune Salt Lake Tribune

Article Last Updated:10/02/2007 06:52:30 AM MDT

A recent series of moisture-packed storms provided a late kick to Utah's water year, which ended Sunday

But it wasn't nearly enough to offset a poor winter snowpack coupled with record-setting summer heat.

That has state water officials and forecasters looking ahead to the new water year - Oct. 1 to Sept. 30 - with some trepidation.

"For the year we'll probably end up about 80 percent of normal because of these recent storms," Dennis Strong, director of the Utah Division of Water Resources, said Monday. "But that 80 percent doesn't really represent how the year looked. It looked more like 60 percent because the snowpack was so terrible and we had such a hot, dry summer."

That means most of the state's major reservoirs, which were brimming after two consecutive average or above-average water years, are now depleted, particularly in southern Utah,

An average water year in 2007-08 would restore some order to the situation, Strong said.

But another poor snowpack season might force some changes.

"My guess is we'll be OK in central and northern Utah. I don't see any scenario in the north putting us in a critical situation. And southwest Utah is in pretty good shape," he said. "The southeast is what we're most concerned about. Without an average or above-average year, we could end up with [water use] restrictions."

Brian McInerney, a hydrologist with the National Weather Service's Salt Lake City office, says the one-two punch of lousy snowpack and record heat - the summer of 2007 was the state's hottest ever - not only torpedoed what had been a nice two-year run of water storage; it also likely reversed a trend of declining water usage across the state.

"We basically used up a good deal of our water supply trying to irrigate fields and landscaping to overcome the heat," McInerney said.

State water officials say that the final water-use figures have yet to be calculated. But they do know that the amount of water plants need to sustain themselves grew by 20 percent over the year before.

"So if you're watering efficiently to address the needs of the plant, you would have increased water usage by 20 percent," said Eric Klotz, the state's water conservation chief. "If everybody watered like they were supposed to, the numbers on the weather alone would cause us to have higher water use."

If anywhere close to accurate, such a surge in water use would reverse what had been a steady decline.

According to state figures, Utahns have decreased their per capita water use from an average 320 gallons in 1995 to 260 gallons in 2005. That's a 19 percent drop. And per capita use in some locations, such as Salt Lake City, is much lower than that

Hydrologist McInerney says the state is still in better shape than in 2004, the final year of a five-year drought.

"Every year it got progressively worse," he recalled "The reservoir stores were low. The groundwater levels were low. The soil moisture was low."

Recent rain and snow, he notes, have helped resaturate the soil

"We're off to a good start. Now we need to keep these storms coming through. We need a good snow collection season, and we need a cool, wet spring to maximize our runoff efficiency," McInemey said.

But whether that will occur, he added, is a 50-50 proposition, at best. Water temperatures in the equatorial Pacific have dropped slightly, creating a weak to moderate La Niña.

Typically, he said, that points to wetter conditions in the northwestern U.S. and drier conditions in the southwest.

Northern Utah, he noted, is right between the two

"The jet stream is usually weaker in a La Niña," McInerney said.

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http://www.sltrib.com/portlet/article/html/fragments/print\_article.jsp?articleId=7059525&siteId=297

10/2/2007

"Systems tend to fall apart over the Pacific. We could see more split storms. But the last El Niño didn't behave as predicted either. So we're keeping our fingers crossed,"

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#### Back

Article published Oct 1, 2007 **Water woes of Parowan City** 

Our lawns are beginning to recover. No thanks to the Parowan City Corporation that operates the pressurized irrigation water system.

The Parowan City Corp- oration is a public utility that provides power, water, sewer and other municipal services. As such, the city is obligated to provide reliable pressurized irrigation water six months of the year. As ratepayers, residents have

a reasonable expectation that the irrigation water will be available. Experience dictates otherwise.

The pressurized irrigation system is turned on in mid-April and shut down in mid-October. At the beginning of the season, users are allowed to irrigate their properties three days a week - two designated days and Sundays. Further, users may use two watering cycles per day: one between midnight and 10 a.m. and another between 6 p.m. and midnight. That amounts to six watering cycles weekly.

On July 18, the city cut the permitted schedule to two designated days, dropping Sundays. Four watering cycles were now the norm. On August 17, run-off from a major rainstorm damaged the pressurized irrigation system at two points, shutting down the system for one full week. Pressure reducers near the cemetery on Highway 143 were plugged, and a section of pipe in the flood channel below the weir on Parowan Creek was washed out. While repairs were being made, irrigation water was not available. Unfortunately, all maintenance is corrective; there is no formal preventive maintenance program.

On August 27, the city notified users that irrigation had to be cut to one watering cycle per week. This was a Draconian adjustment under the threat of fines or permanent disconnection. The city said that it was running out of water. How was this determined?

About 1,250 users pay a flat amount of \$9.27 monthly year-round. New users pay an impact fee of \$615.45. How these funds would be used is a mystery. The Parowan Water Board has talked about making such improvements as a new water well to augment the creek flow, enlargement of the reservoir, and an interconnect with the culinary water system. In over four years of discussion, no action has been taken. That can't be blamed on lack of expertise. The water board has had some highly qualified members. A moratorium on new service connections has been in place for several years. In light of that moratorium, and an absence of plans for system improvements, one wonders what criteria were used to set the impact fee?

The city has no conservation program nor has it developed educational materials to educate users on how to irrigate more effectively, which, in turn, complicates matters.

To its credit, the city posts a caveat on its notices to water users, "Plant lawn at your own risk." That caveat should read, "Rely on the Parowan City Corporation at your own risk."

Let us hope that the city is a better manager of this valuable resource next season.

George J. Vasconi is a member of The Spectrum & Daily News Editorial Board. He resides in Parowan.

http://www.sltrib.com

Mercury-laden fish may have made Cache County man ill The Salt Lake Tribune Salt Lake Tribune

Article Last Updated: 10/01/2007 06:51:44 AM MDT

Few things in life pleased Kayo Robertson more than sitting down to a meal of crappie he had plucked from a reservoir near his home in Cache County.

He would season the pan fish with salt and pepper, bread it with commeal and flour then fry it in butter. The flaky meat, for an independent Westerner like himself, gave lip-smacking satisfaction - and healthy protein.

Then the Smithfield man found out those tasty dinners might very well be making him sick, polluting his body with toxic mercury.

For about five years, Robertson suffered from what he thought might be gout or old age. His feet hurt. His arms would get numb at night. His joints ached. His hands cramped. He often felt tired.

"I've never gotten old before," said the semiretired educator, an active 59-year-old, "so I presumed this was what it was like."

But, while researching his symptoms, he formed a hunch. He caught five fish and sent them to a nationally recognized mercury-testing lab. He sent in a hair

The tests showed that not only were methyl mercury levels high in the fish, but there was much more mercury in him than the Food and Drug Administration considers safe

"Toxic waste!" thought Robertson when he saw the results. "Holy cow!"

His story can't exactly be called a cautionary tale.

Even though both the fish and his hair had high levels of mercury, and although he would eat three hearty servings of local fish a week, there might possibly be other reasons why Robertson's mercury levels were so high. It's impossible to say for sure without doing a scientific review. But his case is certainly raising some eyebrows

Lloyd Berentzen, director of the three-county Bear River Health Department, has heard about Robertson's case,

"No question," he said, "it raises some questions."

One is, what's the cause of contamination? He wonders because Berentzen's neighbor, "a heavy fish eater" who frequents the same places as Robertson, showed normal mercury levels.

Mercury builds up in the food chain. Generally speaking, the more fish people eat, the higher the levels of methyl mercury, the metal's toxic form.

Fish consumption advisories are in effect in seven locations in Utah, where officials suggest that eating too many can be harmful, especially to children and pregnant women. People also are urged not to eat any of three species of Great Salt Lake ducks - the common goldeneye, the cinnamon teal and the northern shoveler - because of high mercury.

Infants and children, in particular, can suffer from learning delays and impaired brain function that can result in difficulty thinking, talking and/or remembering. Adults with high levels often complain of nausea, muscle weakness, memory loss and cardiovascular problems.

Utah's mercury problems shot to the forefront three years ago after scientists reported they had found mercury levels in the Great Salt Lake that were higher than those found in any other lakes. Ever since, the state has been scrambling to understand the extent of the contamination and what that means to Utahns and their environment.

"Fish is a good source of protein," said Berentzen, "and we try to not discourage them from eating fish, But we try to tell them to do it in moderation."

"What we need is more information," he added. "It would be interesting to see a follow-up."

John Whitehead, who oversees the state's mercury program, spoke to Robertson about his test results and urged him to forward any results he gets from fellow Cache Valley anglers

The state, which has already tested about 1,100 fish from about 220 locations in the past three years, has plans to have another 450 tested by January. Some of them will come from flat water in Robertson's area, including Porcupiace Newlon2Cutter and maybe Hyrum reservoirs.

http://www.sltrib.com/portlet/article/html/fragments/print\_article.jsp?articleId=7049000&siteId=297

But, like Berentzen, he cautions against raising a public alarm based on Robertson's experience.

"He's picking up mercury from somewhere," Whitehead said, "and where that is, I can't say. . . . You've got to be careful about saying it's the fish."

In addition, Robertson's favorite fishing spot was Glendale Reservoir, which is in Cache Valley but over the Idaho state line and out of the reach of Utah's state and local officials.

Robertson went cold turkey on fish two months ago. His symptoms? "They're all gone."

He's sad about having to give up fish. And he's sad that the beautiful landscape that provided so much good now has a bad side, too.

But Robertson says he refuses to despair and feels more determined now. He wants more people to be aware of his experience and the role locally caught fish played.

"We don't have this information out there," he said. "Why don't we have it out? Because the Legislature is more interested in building a darned highway or in gay marriage . . . and that's not right."

He's not the only one who "can't drink the water, can't breathe the air and can't eat the fish" because of pollution, he said. And he hopes that he can inspire others disgusted with the status quo to transform their concern into action

"The next question," he said, "is, now, what do we do about it?"

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## Water district wins ruling over Crescent Lakes lots

### By Lezlee E. Whiting

For the Deseret Morning News

Published: October 1, 2007

ROOSEVELT — Eighth District Judge John R. Anderson has ruled that the Central Utah Water Conservancy District did nothing improper in condemning 107 lots in the Crescent Lakes subdivision. The property had to be vacated in order to create a buffer zone around the reservoir that will supply municipal water to Roosevelt city in the future.

The CUWCD was responsible for construction of the reservoir expansion project, along with acquiring property necessary in the enlargement, by negotiation or condemnation. Sandwash Reservoir is located 10 miles northwest of Roosevelt.

In a 38-page ruling Anderson found the actions of the water conservancy district were "in the greatest public good, with the least amount of private injury." He wrote that contrary to property owners' claims that the district acted arbitrarily and capriciously, it took far less land around the reservoir than it could have. The vast majority of the Crescent Lakes lots were "completely or partially below the 5,926-foot elevation" of the dam.

"The court concludes that the district acted well within its authority and discretion in determining to condemn all the properties in the Crescent Lakes subdivision, and in fact, had good reasons for doing so," Anderson wrote, in denying all eight of the defenses submitted by property owners.

The court did uphold the property owners' claim "for greater just compensation." The issue of compensation for their property must still be worked out through litigation.

Buffer zones are routinely established around bodies of water to protect land and water from contamination, and to determine appropriate recreation and points of access, the ruling stated.

When Strawberry Reservoir was enlarged in the mid-1970s the Department of Interior created a buffer zone that extends for miles in every direction. To accommodate the buffer zone, "shanty villages" that had grown up around the edge of the reservoir, causing pollution and trash, were razed. The department also canceled grazing leases and concessionaire contracts.

In determining the buffer zone for Sandwash Reservoir, the CUWCD chose the 5,926-foot elevation as the boundary line for the enlargement project "to lessen the effect on property owners," the judge stated in his decision, backing the actions of the district.

Specifically, Anderson said the district's decision to take the small one-third acre lots and leave larger five-acre lots was not illegal, concluding that "these (smaller) lots presented a higher risk of contamination and pollution." Close to half of the one-third-acre lots in the Crescent Lakes were lakefront property.

Roosevelt city has purchased 3,000 acre-feet of water in the expanded reservoir located near Altamont. A pipeline from Sandwash to Roosevelt is nearing completion.

Wastewater concerns at Sandwash Reservoir date back to the mid-1960s, when the Uintah Basin Health Department (now TriCounty Health Department) determined the shallow soil and sandstone would not permit wastewater systems in the area of Crescent Lakes.

Many of the Crescent Lake property owners have refused to negotiate a settlement, insisting their lakefront property should be appraised at the same rate of property in far more popular lakes such as Utah Lake or Bear Lake. Their attorney, Gordon Madsen, called the offers made following appraisals "ridiculous and low."

Sandwash Reservoir is owned and operated by Moon Lake Water Users Association. Moon Lake built the dam and other facilities in 1964 and owns the land beneath and adjoining the reservoir, which was recently enlarged to 24,000 acre-feet.

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#### Our home is over the Jordan

#### **Deseret Morning News editorial**

Published: September 28, 2007

A verse in an old spiritual runs, "I looked over Jordan and what did I see?"

Thankfully, those looking over the Jordan River in the Salt Lake Valley today are seeing less garbage and clutter and a little more progress in cleaning up one of the state's most famous and distinctive rivers. The Salt Lake Valley is known by its surrounding peaks, but citizens need to keep in mind that "a river runs through it." And the state of that river may say more about the state capital than residents realize.

Making the Jordan River a source of pride, not pollution, should be a priority.

It was with that vision in their heads that two "clean up the Jordan" advocates plunged into the murky water and swam to the other side recently as a publicity stunt, hoping to draw attention to the rattiness of the river water. They got their wish. People are talking about their swim.

Now, the important thing is for people to do something.

Only 9 percent of the state's lakes and reservoirs are clean enough to allow for swimming and water sports. That's surprising. While Utahns seem quick to focus on the amount of water available, they should lend a little more attention to the quality of that water. Some areas of the Jordan have been spruced up in South Salt Lake County. The reason is the people in those areas decided that the quality of their communities as a whole.

Water runs downhill. The problem is that over the decades the quality of the water in the Jordan has gone downhill as well, it will take more than a quick fix to make things right and bring the Jordan back as a show piece and a recreation resource.

But it can be done if the commitment is there.

We urge people to make that commitment — a commitment of time, manpower and money.

If enough communities and individuals care, valley dwellers may one day be singing another tune — that other old spiritual that goes, "Jordan River is chilly and cold — chills the body, but not the soul."

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### Riverton sewer plant making progress

Published: September 27, 2007

The South Valley Sewer District met Wednesday to discuss plans for a sewer treatment plant to be built in Riverton.

Ken Spiers, a consulting engineer working on the sewer project, presented the new information to board members. The pre-design phase of the project should be done within 60 days, he said. The site plans have to be approved by Riverton. Spiers said he is optimistic the approval for the plan will be received by the end of the year.

Riverton Mayor Bill Applegarth said he would help the process to advance.

The sewer district is working with the Environmental Protection Agency to receive environmental approval for the plant. That approval should be received in the next two weeks, said Craig White, general manager of the South Valley Sewer District. The district is also working with the Utah Department of Transportation in order to build new roads from the plant.

Five engineers have been hired so the project can move forward at the necessary rate, Spiers said. The design phase is estimated to take about one year, and the entire project will cost about \$136 million. The plant should be up and running by early 2011.

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Article published Sep 26, 2007

Water plan being amended before it's sent to state engineer

Escalante Valley Water Users Association (EVW) hosted a public meeting at the Enterprise High School Auditorium on Monday, Sept. 24 at 6 p.m. The meeting was well-attended with approximately 300 concerned valley and Enterprise residents. Attendees were presented with a basic choice between two plans. The Utah State Engineer's plan and a proposed alternative by the EVW. The chairman of the EVW, Mike Brown, walked everyone through the plan with a basic overview of the history leading up to the current legislation and the EVW response to it.

Essentially, the state engineer is proposing to cut back water in the valley to 50 percent of its current usage based on safe yield, according to priority date. Safe yield is the amount which can safely be pumped from the ground without significantly lowering the water table. Priority date is determined by the actual date the water rights were granted. Those water users who have rights granted after the priority date will forfeit their rights whether or not those rights were proved up on. Under those conditions, agricultural users would see an average loss of 40 to 60 percent of their water allocation. Residential or culinary users could lose 100 percent of theirs depending on their priority date. The resulting loss of water rights in the valley would be an economic disaster for the area, and would land particularly heavily on the small home owner who only has shares in culinary water.

To lose that acre foot of water is to lose your home. There is no way the property would have any value without an associated water right.

EVW has a plan which is being amended but is not quite ready to present to the state engineer as an alternative. Because the final details have not yet been presented to him, all I am prepared to say is that it makes good sense, and proposes a unique alternate which balances the economic losses between the agricultural users and culinary users in the valley. I got the impression at the meeting that the state engineer was not highly considerate of their concerns over the economic impact on the area at the last meeting, and that our meeting Monday night was intended to garner more local support for the finalized plan as well as to reassure us that we had higher level support.

If that was indeed the purpose it was quite successful. Members of the Utah Legislature attended including Sen. Dennis Stowell, R-Dist. 28, and Sen. Bill Hickman, Dist. 29, and Reps. David Clark, Patrick Painter, Bud Bowman, Brad Last and Steve Urquhart. In addition Alma Adams from the Iron County Commission was present and supportive, as was Jim Eardly from Washington County. All of them offered their full support for the plan.

Speaker of the House, Rep. David Clark, said, "What you are offering here tonight is unprecedented in the state of Utah. Never has a community gotten together like this in the State of Utah and voluntarily presented a plan to reduce their water consumption." Speaking about the state engineer who many felt was not receptive to earlier attempts to consider the economic impact of his recommendations, he said, "For him to hide behind the skirts of the state legislature is both disingenuous and impractical."

The comment period ends Sunday. Community members present signed letters to the State Engineer backing the proposal, and copies will be sent to the state Legislature, and the governor. In the meantime, we wait.

Mitch Cole is a resident of Beryl Junction. He is a member of The Spectrum & Daily News Writers Group.

#### River advocates swim across the Jordan

#### By Catherine Smith

Deseret Morning News

Published: September 26, 2007

SOUTH JORDAN — Most residents of Salt Lake County wouldn't willingly jump into the Jordan River, but that's what two advocates for cleaning up the river did Tuesday.

Jeff Salt, head of the Great Salt Lakekeeper group, and Akiko Busch, a writer and swimmer, swam across the river in South Jordan to advocate water quality throughout the state's lakes and rivers.

"The reason why we are here today is to assert our public right to recreate in 'swimmable waters' and to effect change in local regulatory and management policies," Salt said during a press conference at the Jordan River.

The Utah Division of Water Quality has designated only 9 percent of the state's lakes and reservoirs protected for swimming and other recreation. Salt and Busch, in conjunction with Great Salt Lakekeeper, want the state to protect more areas where full human immersion can take place, such as swimming, kayaking and water skiing. They also hope the state will clean up the rivers and lakes that are polluted.

"Now's the time to deal with water quality," Salt said in an interview with the Deseret Morning News. "(Hopefully) we can extrapolate what we do here to other water areas."

Salt and Busch, who is visiting from New York, have spent the past week in Utah and southern Idaho advocating for water protection. They hope the swims will prod the community to action and press the Legislature to enact laws that protect and clean up Utah water.

Busch recently published a book entitled "Nine Ways to Cross a River." She has swum across eight or nine rivers, including the Hudson River in New York, the Delaware River and the Connecticut River, among others, advocating water quality.

"Despite the passage of the Clean Water Act some 35 years ago, a collective perception about the hostile waters of American rivers continues to keep us out of the water," Busch said. "It is my hope to begin to reverse those perceptions. It is also my hope that by immersing ourselves in the water, and by becoming reacquainted with the current ... we will begin to form a new allegiance and new sense of stewardship towards our waterways."

Salt had invited the public to attend the swim, and possibly swim with them; however, only three community members arrived to watch the swim. Salt said people in the community won't swim in the river, even in the spots where it is safe, such as South Jordan.

"The state has failed to protect this river as a resource for the public," Salt said.

The areas of the river in southern Salt Lake County are some of the only clean spots, Salt said, because the cities have made an effort to keep them cleaner.

Busch will speak at the City Library tonight at 7 p.m. in the Nancy Tessman Auditorium.

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### Open plunge tries to open a few eyes

#### By Lee Benson

Deseret Morning News

Published: September 26, 2007

When Jeff Salt, the aptly named head of a nonprofit save-the-waterways organization called Great Salt Lakekeeper, organized a community swim to help draw attention to the abused Jordan River yesterday, here's what he got:

- · Jeff's staff.
- Specially invited guest Akiko Busch, an author and noted river-loving activist and swimmer from New York.
- · The media.
- And, representing the community, Jerry and Karen Ith of West Jordan, who read about the event in their moming paper and decided, as
   Karen put it, "Why not take a look?"

But they didn't bring their swimming suits.

"Oh, heaven's no," said Karen.

It wasn't like Salt was offering free Jazz tickets.

What he was offering was a dip in a river that people routinely associate as part of the E. coli family. Its logo is a half-submerged shopping cart. Its nickname is the Jordan Sewer. Imagine swimming in a landfill.

Salt himself was none too thrilled about the prospect. Until yesterday, he confessed, he had spent 25 years trying to protect and improve the Jordan River but had never purposely put so much as a toe in.

"Being in the water-quality game, I know too much to want to be in this water," he said. "I've been in it four times, all accidents."

But yesterday would be no accident because, for one thing, Salt had personally invited Busch to fly all the way from New York, and he couldn't expect her to swim the Jordan alone. And for another, there was a point to prove.

"This river is supposed to be swimmable. All of our waterways are supposed to, by law, be swimmable," he said. "Up to now we've begged (the powers that be), we've asked, we've been polite about it, but now it's time to step it up and put everything on the line ... "

The river protector let that sentence hang as he took a deep breath and prepared to take his voluntary — and, given the circumstances, quite courageous — plunge into the unknown.

Busch, on the other hand, wasn't nearly as apprehensive. In researching her book, "Nine Ways to Cross a River," published this past July, she swam some notoriously filthy (but getting cleaner) rivers, including the Hudson near her New York home, the Susquehanna, the

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Mississippi, the Monongahela, the Cheat, the Current, the Connecticut and the Delaware.

Before each swim, she said, "People would look at me and say, 'You're nuts! You'll come out green and glowing,' but I've never gotten sick."

Yesterday, this conqueror of America's rivers looked across the Jordan, which is about 100 feet wide at the selected launch point in South Jordan city.

"It's not as big as the rivers I've been in," Busch said before adding diplomatically, "This will be more of a symbolic swim."

Then the New York activist swung her naturally graying hair — imagine Emmylou Harris in a wet suit — toward the murky slime-green water and did something virtually no one under the age of 50 in the Salt Lake Valley has ever done: She dove into the Jordan River, followed by the ponytailed Salt.

Actually, "dove" is overstating it, since the the river at that point is about 3 feet deep.

Nonetheless, on the shore, the crowd — the media, Jeff's staff and the lths — held its collective breath.

Would they surface unscathed? Would they contract E. coli and die on the spot? Would they hit a shopping cart?

The suspense did not last long as Busch turned and flashed a nice smile while doing a rather elegant breast stroke upstream, and Salt just sort of sat there and grinned in astonishment that he was still conscious.

They splashed around for a while as the cameras rolled and then took a hand to get back up the bank.

Said Jed Boal of KSL-TV to Salt, "That's the first time we've filmed a live body coming out of the river."

Being in the water-quality game, Salt gave him a half-confident half-smile. Well, at least for now.

Lee Benson's column runs Sunday, Monday, Wednesday and Friday. Please send e-mail to benson@desnews.com and faxes to 801-237-2527.

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## Plume added to Superfund

## PCE tainted water in 2 Woods Cross wells

By Joseph M. Dougherty Deseret Morning News

Published: September 24, 2007

The U.S. Environmental Protection Agency has added a contaminated groundwater plume in Bountiful and Woods Cross to the National Priorities List, making it the 14th active Superfund site in Utah.

The contaminated groundwater plume in Bountiful, which was first found in the late 1990s, led to the closure of two drinking-water wells in Woods Cross — one that was forced to be shut down and one the city opted to close when levels of PCE, or tetrachloroethylene, continued to rise after it was detected.

PCE, a chemical found in dry-cleaning operations, can cause dizziness, headache, sleepiness, confusion, nausea, difficulty in speaking and walking, unconsciousness and death if concentrations are too high in closed, poorly ventilated areas, according to the Centers for Disease Control and Prevention.

Irritation may result from repeated or extended skin contact. It also may cause cancer, according to the CDC.

The PCE is believed to have come from dry-cleaning operations near the former Five Points Mall. No one, however, has yet been held responsible for the leaks that led to the contamination.

Woods Cross Mayor Kent Parry said his city drilled a new drinking-water well when the first well was shut down in 1999 and is looking to drill another new well by 2010. The city has plenty of clean water right now, but a new well will be needed, he said.

City Manager Gary Uresk said the city is applying for a low-interest loan from the Utah government to get a new well, which could cost up to \$1 million.

Parry said he's in favor of the Superfund listing because it's a critical step toward getting contamination out of the groundwater.

"It's what needs to happen in order to mitigate that site," Parry said.

David Allison, a community involvement coordinator with the Utah Department of Environmental Quality, said some people see a Superfund listing as positive and others see it as negative.

But the realities come down to cleanup costs.

"We have no active funding source other than Superfund to handle that," Allison said.

According to the EPA, those determined to be responsible for the contamination will pay for the cleanup. But if those parties are unable to pay, federal Superfund dollars will be used in the cleanup, which may take years to happen.

Cleanup at nine other Superfund sites has previously been completed.

For Woods Cross, the next steps will be long ones, however, because the EPA requires an investigation, project proposals, public comment and then a decision before remediation can begin.

The first well that was shut down is located about 400 W. 1500 South in Bountiful, and the second well is located about 700 W. 1500 South in Woods Cross, with most of the plume believed to exist in Woods Cross.

The city is home to another groundwater plume, known as the Bountiful/Woods Cross 5th South plume, which also is contaminated with PCE.

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### Senate OKs water bill in 81-12 vote

\$61 million could go to rural Utah projects

#### By H. Josef Hebert

**Associated Press** 

Published: September 25, 2007

WASHINGTON — The Senate, ignoring a veto threat from the White House, authorized \$23 billion in water projects Monday, including work to restore the hurricane-ravaged Louisiana coast and Florida's Everglades.

The measure, passed by the House earlier this year, was approved \$1-12. It now goes to President Bush, who threatened a veto after the bill's anticipated cost ballooned by \$9 billion as projects were added in negotiations between the House and Senate.

Sen. Orrin Hatch, R-Utah, said the legislation provides nearly \$61 million for water projects in rural Utah, with \$10.8 million for water-related infrastructure needs in Duchesne, Iron and Uintah counties.

It authorizes a study on the feasibility of tapping the Spanish Valley Aquifer to meet growing water needs in Moab and the rest of Grand County.

It also authorizes a study to help reduce the flooding threat of the Santa Clara River in Washington, Iron and Kane counties, he said.

"Despite the fact that Utah is a desert, the people in its southwestern corner have always had to cope with the dangers of flooding," Hatch said. "As the area's population and economy have grown, local leaders have worked hard to keep pace with adequate flood protection projects. It's a difficult and expensive process, so I appreciate that the Senate is providing support."

The Senate vote was approved by a veto-proof margin, and the bill's supporters said they are optimistic that if the president rejects the measure, his veto will be overridden by two-thirds vote.

"He knows it's going to be overridden," said Sen. James Inhole, R-Okla., a leading supporter of the widely popular measure that would give a green light — if money is approved — to hundreds of water projects in virtually every state.

"These programs are necessary," insisted Sen. Barbara Boxer, D-Calif., who rejected arguments by opponents that the legislation is stocked with unneeded pet projects pushed by individual lawmakers.

"This makes a substantial commitment to protecting our nation's wetlands, navigation routes and recreation opportunities. It is crucial to our country's economy," said Boxer at a news conference after the vote.

The legislation authorizes \$3.6 billion for major wetlands and other coastal restoration, flood control and dredging projects for Louisiana, a state where coastal erosion and storms have resulted in the disappearance of huge areas of land.

The bill also includes nearly \$2 billion for the restoration of the Florida Everglades, and nearly \$2 billion for the Army Corps of Engineers to

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build seven new locks on the upper Mississippi and Illinois rivers.

While these projects may be the most ambitious, the bill would give the go-ahead for hundreds of smaller dredging, wetlands restoration and flood control projects across the country. One senator after another called the projects critical for their respective states.

The Congressional Budget office in an analysis released Monday said the bill includes projects that if fully funded would cost \$11.2 billion over the next four years and \$12 billion in the decade after that. It said various projects related to hurricane miligation in Mississippi and Louisiana, including assuring 100-year levee protection in New Orleans, would total \$7 billion over the entire period.

The bill also calls for increased oversight of the Corps, requiring an outside review of water construction projects.

But critics called the bill — the first water system restoration and flood control authorization passed by Congress since 2000 — an example of Congress' push to approve lawmakers' pet projects without concern over costs or setting priorities. They said the Army Corps already has a backlog of \$58 billion worth of projects and an annual budget of only about \$2 billion to address them.

While the bill authorizes projects, it does not fund them.

"How many failed projects and wasted dollars does it take before we finally say we've had enough?" asked Sen. Russ Feingold, D-Wis., who called the legislation a "flawed, loaded bill" that doesn't attempt to set priorities on water projects.

Sen. Jim DeMint, R-S.C., complained that the bill contains about 20 projects that were added during the negotiations between the House and Senate but were not in the separate bills passed originally.

"The cost has exploded," complained DeMint. The legislation approved originally by the Senate would cost \$14 billion and the House version would cost \$15 billion.

Boxer, speaking to reporters before the vote, attributed the cost increase to some projects becoming more expensive, either because of essential changes or inflation. Also, she said, the final version includes necessary projects that had been approved by one chamber, but not the other.

Stephen Ellis, vice president of the Taxpayers for Common Sense, urged Bush to "draw a fiscal line in the sand ... and dare Congress to cross it."

"This bloated bill richly deserves to be stuck by the president's veto pin," said Ellis.

Contributing: Suzanne Struglinski, Deseret Morning News

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### Company is charged with putting chemicals in sewers

The hazardous material had been used at a truck detergent firm

By Judy Fahys The Salt Lake Tribune Salt Lake Tribune

Article Last Updated:09/25/2007 02:51:47 AM MDT

The owner of a North Salt Lake company has been accused of dumping a poisonous stew of hazardous chemicals into public sewers.

Larkin Baggett, owner of a truck detergent company, Chemical Consultants, denies the allegations laid out in a six-count indictment that was unsealed Friday by U.S. District Judge Paul G. Cassell.

Baggett said the charges were based on the complaints of "a disgruntled employee who was trying to extort money from me."

"The whole thing to me is blown way out of proportion," he said.

The U.S. Environmental Protection Agency, which investigated the charges, and state and local sewer officials had nothing to say about the case.

The indictment says Baggett had his employees dump a variety of hazardous chemicals into the sewers, through a drain in his former facility at 955 N. 400 West, Building 11, and into the paved alley behind it, It also says he violated effluent standards and hazardous waste laws by dumping material from contaminated 55-gallon drums at the company's current location, 850 N. 550 West.

The sewers at the current location drain into the South Davis Sewer Improvement District, which made Baggett install drain plugs and sign a no-dumping pledge.

Among chemicals that went into the public sewers were 49 percent hydrofluoric acid, muriatic acid, hydrochloric acid, sulfuric acid, xylene and toluene. They were mixed to make truck wash acid, descaler, aluminum brightener, truck wash soap, fuel conditioner and other products, the indictment says.

Two of the charges carry a maximum jail sentence of three years. Each remaining count carries a five-year-maximum sentence.

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### Community swim today across the Jordan River

Published: September 25, 2007

SOUTH JORDAN — The Great Salt Lakekeeper is sponsoring a community swim across the Jordan River today with writer and amateur swimmer Akiko Busch.

The event, scheduled for shortly after 1 p.m., kicks off the Great Salt Lakekeeper's swimmable waters campaign, which will include a series of lectures and workshops

"Swimming in rivers has been a recreational tradition in America for many generations, but is declining in popularity because of pollution and growing public perceptions that our nation's waterways are either unsafe for human use or off limits for recreation," said Jeff Salt, spokesman for the Great Salt Lakekeeper.

The swim will begin near the Shield's Lane trailhead parking lot, at approximately 1100 W. 9800 South in South Jordan.

The federal Clean Water Act requires that the nation's waterways be swimmable and fishable. Despite the federal requirement, none of Utah's rivers and streams, and only 9 percent of the state's lakes and reservoirs, are specifically designated as protected for swimming, according to the Great Salt Lakekeeper.

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### Runoff taking toll on frogs

Published: September 25, 2007

WASHINGTON (AP) — The growing number of deformed frogs in recent years is caused at least partly by runoff from farming and ranching, new research indicates.

Nitrogen and phosphorous in the runoff fuel a cycle that results in a parasitic infection of tadpoles, resulting in loss of legs, extra legs or other deformities, according to researchers led by Pieter Johnson of the University of Colorado, Boulder.

Their findings are being published in this week's online edition of Proceedings of the National Academy of Sciences.

The deformed frogs have been a puzzle for more than a decade, since a group of Minnesota schoolchildren discovered a pond where more than half of the leopard frogs had missing or extra limbs. Suggested causes have ranged from pesticides and increased ultraviolet radiation to parasitic infection.

While parasite infection is now recognized as a major cause of such deformities, the environmental factors responsible for increases in parasite abundance had largely remained a mystery, Johnson said in a statement.

Here's how the cycle works:

The parasites, called trematodes, have a series of host species.

They grow in snails and become infectious when released by the snails into ponds, where they can infect frog tadpoles, forming cysts in the developing limbs. Water birds eat the frogs and then excrete the parasites back into the ecosystem, where they can infect the snails, he explained.

The increasing amount of runoff is fueling a boom in algae growth, the snails eat the algae and also undergo a population explosion, increasing the breeding places for the trematodes.

To test the idea, the researchers built 36 artificial ponds in central Wisconsin and introduced snails. Ponds with added runoff had a 50 percent increase in the snail population compared with those that did not have the extra nutrients.

The research was funded by the National Science Foundation.

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#### The Thumb

Tribune Editorial Salt Lake Tribune

Article Last Updated:09/23/2007 12:16:40 AM MDT

A plan for the parkway: Envision Utah has a plan for the Jordan River's 44 miles of green space that winds its way through 14 cities and three counties. The group is trying to bring all the stakeholders together to set guidelines for the corridor along the river, which has been embraced for quiet recreation in some areas and essentially trashed in others. As urban open space dwindles, a plan to maintain and improve the corridor is long overdue. Everyone involved should help make it happen.

Slow poisoning: Phosphate mining in southeast Idaho continues to leach selenium into streams and ground water. Toxic concentrations of the chemical in forage are blamed for killing horses in 1996, which focused the Forest Service's attention on the problem. Since that time, sheep kills and deaths of wildlife geese, cranes, pelicans, beaver, salamanders have been attributed to selenium. Fish have disappeared from two streams. There are 17 Superfund sites, But an investigation of government documents by a former federal hydrologist has revealed that Forest Service officials were aware of high selenium concentrations from mining 20 years ago and did nothing.

Such a deal: When Robert Brems was promoted from campus president of Mountainland Applied Technology Center to president of the Utah College of Applied Technology, he asked for and got a \$158,000 sweetheart deal called a "transition package." The institution's board said it was to compensate him for an early retirement benefit for which he otherwise would have qualified, but auditors say that Brems did not qualify for the program because he did not have the required number of years of service at the campus. Brems used other money in the package to set up an endowment at the school that has benefited only his relatives and underreported his income to the IRS, according to auditors. Brems has been allowed to resign, but will remain on administrative leave through Oct. 31, receiving about \$16,000 in additional pay. Looks like he got a second generous "transition package."

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9/24/2007

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Urban renewal: Vision for downtown St. George nearly a reality By Mark Havnes The Salt Lake Tribune Salt Lake Tribune

Article Last Updated:09/24/2007 08:04:05 AM MDT

ST<sub>0</sub> GEORGE - When the Mormon pioneers arrived to settle St. George in 1860, among the crops they planted were cotton, grapes and even mulberry trees to raise silkworms.

Those crops were not successful, but the efforts - including construction of elaborate irrigation systems - became part of this southwestern Utah city's heritage.

That history is now being commemorated in a \$7.5 million project along Main Street.

"The purpose of the project is economic development and revitalization of Main Street," said Marc Mortensen, assistant city manager who has been in charge of the 2 1/2 -year project.

He said the Town Square and Water Walk project, which runs for six blocks, has three distinct elements and is scheduled to be dedicated Oct. 15

The project is being financed by Redevelopment Agency funds that come from area businesses and the Washington School District,

Mortensen said the designer, Bruce Jorgensen, a landscape architect with Salt Lake City-based GSBS, incorporated features from similar projects in other cities, including San Antonio, Texas, and Atlantic City, N.J.

Starting at 500 North, the Brooks' Nature Park includes the spring-fed Cox Pond, an amphitheater, wildlife preserve, observation decks and trails, including one connecting to the existing 65,000-acre Red Rock Nature Preserve.

"The pond has been in use for more than 100 years, " said Monensen during a Thursday tour. "Some of the water from the pond is still used to irrigate some neighboring yards."

From there the water is piped to 250 N. Main St. where it bubbles out of a waterfall. There is also a plaza planned to feature bronze sculptures of historic events and people.

Included along the walk are a series of water troughs connected to a stepped wall meant to represent irrigation efforts throughout the city's history.

Irrigation "is the reason we are here," said Mortensen.

At St. George Boulevard, the water will be piped to the Town Square between Tabernacle Street and 100 South.

The square will be the biggest part of project. It consists of a "splash pad," (erupting streams of water) that represent the confluence of the Santa Clara and Virgin rivers.

Another interactive water feature will teach children about irrigation and feature cotton plants and grape vines. In addition, there is a parade ground and grassy festival area with amphitheater seating next to the new Washington County Library. Parking is planned along 200 West.

Anchoring the square is a 45-foot Heritage Tower, with an advanced audio system.

The square tower features four round, stained-glass windows that depict historic events and people of the area.

"The Town Square is where we'll have all our events like concerts and [New Year's Eve] First Night," said Mortensen. "We want to make it a destination place where residents will want to bring friends and family."

Mayor Dan McArthur said the project is critical to luring businesses to Main Street and keeping them there.

"We're also trying to keep historic features downtown, like bronze sculptures, that tell about events and people who contributed to settling St. George," said

He said the Town Square feature blends seamlessly with the historic Tabernacle and old Woodward School that has been restored and is now used as school-district offices.

Maurine Harris, owner of The Art Cottage on Tabernacle Street, said the project across the road from her business will bring an old-town feeling to the area and increased activity, which will be good for her bottom line.

"Foot traffic Flageld 6notesse as it becomes a place people want to visip ageosaid-1 That will undoubtedly help."

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Tiffany Taylor, who owns the Historic Judds Store on Tabernacle Street, sees benefits in the project, but also has concerns.

"I just hope it does not become a hangout park for homeless," she said. "Loitering could be a problem, so I hope they can keep it nice for everybody."

Mortensen said completion by contractor Jacobson Construction Co. will be close to the deadline, but he is confident it will be met.

"If I have to be down here laying sod myself, I will," said Mortensen.

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Selenium can kill livestock, sicken humans who eat them
Environmentalist say feds colluded with phosphate companies to cover up pollution
By Kristen Moulton
The Salt Lake Tribune
Salt Lake Tribune

Article Last Updated:09/21/2007 06:52:11 AM MDT

A regional environmental group accused the Forest Service and Bureau of Land Management on Thursday of colluding with phosphate-mining companies in southern Idaho to cover up decades of serious pollution.

The result, said Mary Hoyt, the Idaho director of the Greater Yellowstone Coalition, is that mining continues to leach selenium into streams and the aquifer - while 17 Superfund sites from past mining go untouched.

Lynn Ballard, spokesman for the Caribou-Targhee National Forest and BLM, denied there was any collusion with the mining industry to cover up the

"We've never operated that way," he said.

Mining for phosphate exposes rocks rich in selenium, which, once exposed to rain and snow, flows into streams and underground aquifers. It can build up in plants, reaching high concentrations that can kill livestock and wildlife and harm the people who eat them.

The Greater Yellowstone Coalition and Caribou Clean Water Partnership released a report written by a retired federal hydrologist, who pored over thousands of documents obtained from federal agencies through the Freedom of Information Act.

Edgar Imhoff, the hydrologist, during a press conference via telephone Thursday, said he was astounded by the toxic levels of selenium found as long as two decades ago in streams near phosphate mines north and east of Soda Springs.

"Given the dangers, the mining company and federal agencies had to be aware they had a serious problem on their hands," Imhoff said, referring to the owner of one of three active phosphate mines, Boise-based The J.R. Simplot Co.

Hoyt said the documents showed the federal agencies didn't just fumble their jobs. "This was something a lot more deliberate that just dropping the ball," he said.

The documents did not reveal secret deals, but rather a pattern of downplaying or obscuring the gravity of the pollution, Imhoff said.

He gave examples. Imhoff said in his report that data collected by the Forest Service's Intermountain Research Station in Logan in 1990 - it showed extremely high concentrations of selenium in surface water downstream from a mine - was not shared with the Environmental Protection Agency until 1997.

It was only after animals began dying that mining companies and federal agencies began acknowledging the pollution, casting it as a newly discovered problem, Hoyt said.

"People actually did know about this long before they say they did."

The Forest Service's Ballard said 1996 horse deaths prompted the Forest Service to "focus resources on a full investigation [of] what was causing the selenium impacts."

The agency also has required and received yearly water reports from Simplot, which opened the Smoky Canyon mine in the early 1980s.

He could not say whether the Forest Service considered selenium levels reported in those yearly documents as acceptable.

A Simplot spokesman could not be reached for comment.

The new report is aimed at preventing Simplot from expanding the Smoky Canyon mine near the Idaho-Wyoming state line.

A final environmental impact statement is due out within 30 to 45 days and is expected to endorse mining under certain conditions.

"There are mitigations placed in there that Simplot would have to do," Ballard said.

The environmental coalition also wants to light a fire under government agencies to force the owners of the 17 Superfund sites - including Simplot, whose Smoky Canyon mine has been declared a Superfund site - to clean up past messes,

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9/21/2007

Phosphate, used in fertilizer and animal feed, has been mined in southern Idaho's Caribou County for a century. Three of 28 mines remain active. The open-pit mines produce \$5 million in mineral royalties each year. Half goes to the federal treasury, 40 percent to Idaho schools and 10 percent to Caribou County. When phosphate is mined, selenium in rock is exposed and left behind in waste dumps, where it leaches into streams and groundwater. High concentrations of selenium have been recorded for years, but when six horses had to be euthanized in 1996 after eating selenium-contaminated forage, researchers began paying closer attention. Two more horses died the next year, and since then, more than 550 sheep have died from selenium contamination. Wildlife researchers blame selenium for mass salamander die-offs, deformed coot and Canada goose embryos and the deaths of animals such as beaver, cranes and pelicans. Fish are gone from two streams. Caribou County is home to the Grays Lake National Wildlife Refuge. Idaho health officials began warning in 2002 against children eating fish from one stream. Last year, health officials cautioned against eating the liver of elk killed near phosphate mines. Seventeen of the 28 mines have now been declared federal Superfund sites.

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## Woodland Hills' water pump out of commission until next week

### By Jens Dana and Elizabeth Stuart

Deseret Morning News

Published: September 21, 2007

WOODLAND HILLS — Woodland Hills' lone water pump broke early Wednesday morning, forcing the city's 1,300 residents to resort to emergency stores.

Mayor Toby Harding said the Maple Canyon well, which Woodland Hills shares with Salem, stopped producing water around 7 a.m. Wednesday.

"The shaft on the pump is broken," said Bruce Hall, city engineer.

Engineering crews spent all day Thursday pulling the pump out of the 350-foot-deep well, Hall said.

After inspecting the 10-year-old pump more carefully, Hall said he was concerned about the condition of several other parts.

"We're afraid some of the shafts might be a little bent, so we're a little reluctant to put it back in the well," he said.

As long as the pump is out of the well, the city is taking the opportunity to perform maintenance that should keep it from breaking again in the next few years, he said.

"It's been in there several years, and it's worn," he said. "If it wasn't for that fact, we could replace the shaft and put it right back in tomorrow."

Hall said he has ordered the parts to fix the pump and expects it will be up and running by Monday or Tuesday of next week.

Today, crews will begin installing a temporary pump that will provide for residents' indoor water needs. If all goes according to plan, Hall said, it should be spitting out water by afternoon.

In the meantime, the city has resorted to emergency water supplies, Harding said, and they've also brought in water tanks.

"We've asked citizens to be judicious in the use of it," he said.

Harding also recommended residents boil any water before drinking it.

"It would be better to use bottled water until we get the problem fixed," he said.

Harding said the city called Utah County for aid as soon as the pump broke. The county outfitted a Salem church with a portable shower so residents have a place to clean up.

Some residents have been making do with no water for the past two days; others are simply cutting back on usage.

Woodland Hills resident Mike Hook said he was one of the first people to run out of water. He has been using his personal water storage for most daily tasks and purchased a small amount of water from the store for drinking.

"The city's taking pretty good care of us," Hook said. "It's always inconvenient to have no water, but things happen."

The water's still running at Larry Davis' house, though. He said he purchased some bottled water but only because boiling was inconvenient.

"We haven't had a problem at our house," Davis said. "I mean, we're conserving, but I haven't noticed anything different."

E-mail: estuart@desnews.com

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Woodland Hills Residents Without Water September 20, 2007



#### Alex Cabrero Reporting

When a pump in a well failed, it left a Utah County community without water. Tonight some have water, but a few don't in Woodland Hills. Crews are still trying to fix a broken shaft in the city's water pumping system.

For residents who live below the water tanks, gravity is bringing them some water, enough to flush the toilets with; but if you live above the water tanks, you don't have a drop, and it could be like this for a couple of more days.

Joni Young has always kept a 72-hour kit, just in case. Now she's putting together a one-week kit, just in case. "I hope it won't be a week, but yeah, I'll drink a lot of water by then," she said.

She's one of hundreds of residents in Woodland Hills having to severely cut back on their water usage, otherwise there might not be a drop left for other people.

"We just drink bottled water, and we try to conserve by not using our dishwasher and laundry," she said.

It's all because of a broken piece of metal 300 feet below the ground.

Woodland Hills councilman Charles Spence says, "The well guy started tinkering with it and doing some adjustments, and said, 'You got a busted shaft."



Drilling crews are working to get to the problem so it can be fixed, but it could take another day, maybe two, just to get to the problem. What's even more troubling is that this well is Woodland Hills' only source of water.

Spence said, "It brings up the importance of having a second source of water,"

For now, that second source is a number of fire truck tankers. Departments from across Utah County are helping by pumping water from their trucks into the city's water tank.

Woodland Hills fire chief Dorel Kynaston said, "We're trying to give people in the city enough water to use the bathroom and basics."

It's enough to get by, for now.

"It's not really a big deal, but if it goes a long time, it probably could be," Young said.

The city is working to get a temporary pump into the well, but that could take a couple of days. To fix the problem overall it could be a week, maybe more.

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http://www.ksl.com/index.php?nid=481&sid=1841975

Woodland Hills is also having some portable showers set up in nearby Salem for residents who are completely out of water.



### Summertime drought over

Parkites, enjoying cooler temperatures, are using far less water than they were

by Jay Hamburger OF THE RECORD STAFF The Park Record

Saying Parkites are using much less water than they were in the summer, City Hall last weekend declared the summertime droover, a move that was expected as cooler temperatures have prevailed.

But the drought conditions that gripped the area in the summer again showed the delicate nature of City Hall's water supply.

The Park City government in midsummer declared what is known as a Stage 1 Drought, meaning Parkites on peak days were u more than 85 percent of the water available to the Public Works Department. The city operated under the Stage 1 Drought restrictions until they were lifted on Sept. 15.

Jerry Gibbs, the Public Works director, says water demand dropped by 1 million gallons each day once the cooler weather settle and state officials loosened restrictions on historic water rights in early September.

According to Gibbs, Parkites used about 6 million gallons of water each day last weekend. When the government declared the S 1 Drought, the numbers were more than 8.3 million daily.

"I expect numbers to go down -- shoulder season," Gibbs says.

lifting the Stage 1 Drought, Public Works crews will no longer tightly enforce City Hall's sprinkling rules, which bar daytime wat: and require people to sprinkle every other day depending on their address.

Gibbs says Public Works could still issue watering tickets, but enforcers are not searching for people violating the rules. The eve other-day watering rule remains in effect until Sept. 30. Until then, watering is restricted from 10 a.m. until 7 p.m.

Meanwhile, Gibbs says it is easier to install landscaping because the Stage 1 Drought is over. He says it would have been difficu someone to put in new landscaping under the restrictions that had been in place.

When the tighter rules were in effect, Gibbs estimates, the city issued 40 tickets to people violating the watering rules.

"Overall, the residents responded," he says.

Under a Stage 1 Drought, Park City officials wanted restaurants to stop serving water unless a customer asked, requested Park limit washing cars, sidewalks and driveways and requested people cover pools so water would not be lost to evaporation.

Water managers hope for a snowy winter. Park City's water comes from springs and underground sources, and they rely on me snow. The region has suffered through scant snowfall in recent years.

"Snow pack is what recharges all out water sources," Gibbs says.
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http://www.parkrecord.com/portlet/article/html/fragments/print\_article.jsp?articleId=6929317&siteId=122

9/20/2007

Gibbs says City Hall would have encountered difficulty during the peak days, when the numbers hit 85 percent of available water water source had failed. He says sprinkling accounts for 70 percent of the water used during the peak days. There were also concerns in the summer there would not be enough water to fight fires.

Parkites who continue to sprinkle during the fall should cut the amount, Gibbs says, describing that plants now require about 50 percent of the water they did in the summer.

"People can water, if they need to water," Gibbs says.

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Article published Sep 21, 2007
CICWCD reaches out to area
By RYANN RASMUSSEN
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CEDAR CITY - The Central Iron County Water Conservancy District came to a few conclusions on Thursday night during a regularly scheduled meeting that would send a clear message about its ultimate goal.

The objective, which was reiterated numerous times during the meeting, is to evolve into a regional water district that serves not just individual subdivisions, but entire municipalities as well.

And considering the decisions that were made on Thursday, the CICWCD seems to want to stick to the plan.

The first item of business was to discuss a potential agreement with Cedar City for providing water to areas that will likely be annexed into the city. This is an action that some board members believed to be a significant step toward the district's primary vision.

The agreement revolves around one area specifically right now, but the board members seemed interested in developing something that would apply to all future subdivisions.

It was also mentioned during the meeting that other water districts have already developed exclusive relationships with neighboring municipalities, and the CICWCD would be following their lead.

"The ultimate goal with this agreement is to force us to work with the city," said Kelly Crane, an engineer with the CICWCD.

If the agreement, which was proposed by Cedar City, becomes a reality, the water district would be responsible for serving the area until it gets an official annexation. At that point, the city would take over, but the district would provide water to the city for the area on a wholesale basis.

"This is the future action that we should be doing with every single transaction with the developers," said Roger Sanders, an attorney for the water district.

The board members agreed to pursue the agreement on the table, but only after the actual legal document gets another look from the involved legal counsels.

Also during the meeting, the water district talked about taking over a water right currently owned by the Old Meadows Ranchos Water Company. Those who represent Old Meadows are concerned that their water right may be forfeited by the state engineer and they need an alternative way to provide for their users.

This specific water right is in question because it was issued after 1945. If the rumors that the Cedar Valley water basin is next in line for potential water forfeitures, this water right could be one of the first on the chopping block.

But regardless of the risk the water district may face if it agrees to take responsibility for the right - and ultimately for providing water to the users - the board members were willing to move forward.

The final decision belongs to Old Meadows, and they are considering other options besides the water district, but the board made it clear that the offer stands.

"If you want to join forces with us, we would gladly put our hand out to help you," board member Leon Hyatt said.

### **Drought lifted in Park City**

By Amelia Nielson-Stowell Deseret Morning News

Published: September 20, 2007

A stage-one drought declaration has been lifted in Park City, the first the resort town had in four years.

In July, the voluntary drought level was called by city officials, as they pleaded for conservation to avoid declaring a higher drought level. In late June, the city began exceeding 85 percent of its water demand capacity — 8.3 million gallons per day.

But mid-September, at the end of a hot summer, water demand began holding steady at about 60 percent of capacity.

"This is a significant improvement over the past two months when water demand was at times close to 90 percent of source capacity," water manager Kathy Lundborg said in a statement.

A combination of low snowfall during the winter months, high temperatures in the spring and increasing growth in the town of 8,000 people brought on the water problem.

Park City has also been waiting for years to build a pipeline that would connect a water supply to the city. The city has reserved a water supply in Smith Morehouse Reservoir, 18 miles from Park City, but funding and alignment of a pipeline has prevented tapping into the source sooner.

The city currently gets its water from mine tunnels and wells.

"It was a hot, dry summer. Our residents, guests and business community implemented water conservation measures that helped slow the flow and prevent a stage-two drought," Lundborg said. "We're keeping our fingers crossed for a great snow year."

The city's outdoor watering ordinance, however, remains in effect until the end of September. Watering has been cut back to evennumbered days for even-numbered street addresses and odd-numbered days for odd-numbered street addresses.

City water law is also being strictly enforced. Adopted in 2003, that law allows no landscape watering between 10 a.m. and 7 p.m., and watering can only be done every other day.

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Thursday, September 20, 2007 Water crisis in Woodland Hills

| Print |

### JANICE PETERSON - Daily Herald

Woodland Hills was essentially without water Wednesday, and it may be that way for a few more days.

Residents were instructed to only use water for emergency use after the pump on the Maple Canyon well broke Tuesday night.

"We normally have about a million gallons, and we have significantly less than that right now," said Woodland Hills Mayor Toby Harding.

The Maple Canyon well is shared by Woodland Hills and Salem, but Salem has several alternative sources of water, Harding said.

"This is our primary source of water," he said

According to a Salem city office recording, once the stored water in the main and secondary lines is used up, Woodland Hills and affected Salem areas will be without water.

In Salem, the Harvest Ridge subdivision will be affected, and areas south and east of Salem Canal road will have low water pressure.

Harding said the city has contacted Salem and county officials for help in the crisis, and they are attempting to bring in water to replenish the supply.

"We've notified all citizens to be very conservative and use water only for emergencies," he said.

Only necessary water should be used, such as for cooking or flushing the toilet. Showers and lawns, however, are not considered a necessity.

Mac Baldwin, a Woodland Hills city council member, said he was warned he needed to conserve water. Better not to use any at all, he said. Baldwin said he was warned through the reverse 911 system set up in the city.

"We have an automatic phone system," he said. "They can call the entire city in three minutes."

Amber Thompson, a Woodland Hills resident, said she received the warning through the phone system three times throughout the day, at about 10 a.m., 2 p.m. and 4 p.m. She said the recording warned residents they may be without water for three to seven days, to turn off their outside water and to use as little as possible.

Thompson said when she heard the news, she went to the store to prepare for the shortage, as other residents scrambled to do as well,

"I went and got a bunch of drinking water for my family," she said,

Thompson said she also intended to buy a 55 gallon drum to store water in for dishes. When she arrived at the store, she said there were six or seven drums outside. After shopping inside for about five minutes, they were gone, she said.

Thompson quickly bought two water drums herself, and she said she does not expect the remaining supplies to last long.

"I'll bet by tonight they're all gone," she said Wednesday.

Thompson said she will take her family to her mother's house in Genola to shower, and she will probably go out to eat to avoid dirty dishes,

Athena Jones, Thompson's neighbor, said she did not receive the emergency call and was using water all day Wednesday until she heard the news from Thompson.

"I did hear from the neighbors," she said. "I never get those calls."

Jones said she wonders what would happen if there were an emergency near her home and she did not receive the warning.

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"I live on the very tip top, so if there was a fire, I'd be in trouble," she said.

She said she will probably stay in a hotel until the situation has been resolved.

Jones said she thinks some measures could have been taken to avoid a similar problem,

"I think we should have a backup pump or something," she said.

Thompson said she will give the city the benefit of the doubt that the problem will be fixed soon, but she worries about what will happen if it is not.

"Three to seven days, you can handle that," she said. "If it's longer than that, there needs to be some sort of resource coming in."

This story appeared in The Daily Herald on page A1. Article views: 257

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No more going with the flow Sprucing up Jordan River corridor

Planners hope to upgrade the historic waterway that wends its way through 14 cities

By Steve Gehrke The Salt Lake Tribune Salt Lake Tribune

Article Last Updated:09/18/2007 02:39:27 AM MDT

The Jordan River's 44-mile stretch provides open space and recreation for thousands of Wasatch Front residents. But, because the river snakes through 14 cities and touches three counties, it also makes for a coordination nightmare.

Envision Utah is trying to consolidate what has been scattered planning over several decades and fix the corridor's sometimes schizophrenic appearance by revamping a 36-year-old, out-of-date master plan.

Stakeholders from various cities and environmental organizations held a regionwide kickoff meeting Monday to bring their varied efforts together. Participants in "Blueprint Jordan River" hope the broad effort will generate one single, new vision for the river from the Great Salt Lake on the north to Utah Lake on the south.

Ted Knowlton, Envision Utah's assistant executive director, said that the river changes characteristics as it flows from lake to lake. So guidelines for each section of the parkway should reflect the terrain of individual segments

"It's not a question of whether the river is in this town or that town, but is that town urban with industry, or is it vacant with farmland?" Knowlton said, "We want the broader public to tell us what specific ideas work best for different parts of the corridor."

Representatives from several organizations Monday posed ideas to benefit recreation, development, ecosystems, and health and safety along the historic river.

They cited needs to promote trail continuity, water quality, wildlife habitats, plans for nature centers and improved area lighting.

Experience Lighting resists manager. Jason Green, said that a year from now, the group intends to generate a final vision to help guide communities as they

Envision Utah's project manager, Jason Green, said that a year from now, the group intends to generate a final vision to help guide communities as they address open-space issues, trails and development along the corridor

But, he added, there would be no teeth in the measure; it would be more of a voluntary planning guide.

Murray Mayor Dan Snarr said there have been efforts in recent years to help clean up the water, and those need to continue to boost its image. He said he once invited a group on a tubing journey down the Jordan River for a closer look, but of the six who accepted the invitation, only two showed up. The others were convinced they might die from the pollution.

"We need to tell everyone this is a nice river," Snarr said. "Can we make it better? Absolutely. Is it going to cost money? Absolutely. But if we all work together, we can go back and present a strong case for those resources."

Envision Utah Executive Director Alan Matheson said river improvements would benefit the overall quality of life in Utah. He also sees them as an economic driver that makes the Wasatch Front more competitive.

"Competition is increasingly about quality of life . . . let's not forget about the natural setting," Matheson said. "The Jordan River is an underutilized and underappreciated resource. I hope we can look to it as the ribbon that unites us as a community."

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Cleaning up the Jordan

You never know what you'll find in the river

Volunteers, including Salt Lake County's mayor, pitch in to rid the stream of debris

By Derek P. Jensen The Salt Lake Tribune Salt Lake Tribune

Article Last Updated:09/17/2007 01:07:35 AM MDT

Rusted yard art, bicycles, sofas and a plethora of pottery...

It's easy to unearth such gems at any given yard sale, But what if that very kaleidoscope of cast-offs called the Jordan River home, rather than some trim and tidy lawn?

It happens - a lot. And sometimes the items are so bizarre they leave conservationists and parks crews alike scratching their heads.

Take the pig carcass, pitched after a luau. Or the modified beach tricycle, complete with buoyant tires. The latter was found hung up on some tree branches.

"I'm always surprised," explained South Salt Lake recreation supervisor Troy Bennett, who had another eye-opener this weekend as he and 35 volunteers traipsed the river bank for trash. "There are weird little things too. You're thinking, 'Wow, how did that get in here?' "

This time around, Salt Lake County Mayor Peter Corroon joined the patrol. On the strange scale, he was not disappointed.

"We found a Christmas stocking in the river," Corroon marveled. "It must not have been a good person,"

Add that vuletide treat to the steady stream of regular river fare; tires, shopping carts and plenty of eigarette butts.

"Fritos and Cheetos are the food of choice for people who wander the Jordan River," Corroon joked, without really laughing, "A lot of people don't take pride in the Jordan River. They treat it like a garbage dump."

No need to tell Jeff Salt, whose nonprofit Great Salt Lakekeeper organization has been cleaning the waterway - and others - every summer for eight years.

State officials, he laments, are doing little to nothing to curb what he says has become a "conveyor belt" of debris.

"We're cleaning up the same stretches of river and finding this enormous amount of garbage," said Salt, who was at it again over the weekend. "It's not being managed or observed or enforced. It's 100 easy for people to drive their vehicles here to dump."

As a result, cans, tires, mattresses, and what Salt called a "fantastic" number of Gatorade and beer bottles, share the same watery grave.

During the latest recovery effort, two sofas joined some large truck tires and shopping carts as unfortunate river art.

"It's become more of the icon of the Jordan River," Salt said about the beached shopping cart.

Salt and others solicit volunteers to cover the river by canoe. But this time, they tackled the refuse by foot.

The cleanup dovetailed with this year's International Coastal Cleanup, a movement pushed by the Ocean Conservancy to cleanse waterways around the world.

The slogan: Take a day to leave a legacy.

Unfortunately, notes Bennett, the river already has one.

"It never ceases to amaze me what's in the Jordan River."

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Marsh masterpiece

Dedication of the Great Salt Lake Nature Center at Farmington Bay is a blessing for bird-watchers and could help other projects for the state's native species take off

By Brett Prettyman The Salt Lake Tribune Salt Lake Tribune

Article Last Updated:09/13/2007 10:53:52 AM MDT

FARMINGTON BAY WATERFOWL MANAGEMENT AREA - Clark Johnson has seen dramatic changes at Farmington Bay in the past half-century. Named as the first manager of Farmington Bay in 1952, the 79-year-old now serves as a volunteer naturalist, leading groups on birding trips at the important marshland east of the Great Salt Lake.

Johnson was on hand Saturday as two buildings, a deck and a parking lot were officially dedicated as the Great Salt Lake Nature Center at Farmington Bay. It is about time, he said.

"Even back in those days we had a bunch of school kids visiting, Times have changed, but school kids are still interested in what happens at the marsh," said Johnson, who remembers leading up to 3,000 students a year on Farmington Bay during his 10 years as the manager, "This is long, long overdue."

And there's more. In addition to educating people about the importance of the Great Salt Lake and its marshes, the nature center has helped kick off a statewide effort to fund similar programs aimed at supporting native wildlife through the Utah Wildlife and Conservation Foundation.

A nature center of sorts has been on the grounds of Farmington Bay Waterfowl Management Area (WMA) since 2002. The mobile education center, funded by The Great Salt Lake Interpretive Trust, was built by Davis County high school construction students. Volunteers have been leading an average of three or four field trips each week, hosting about 10,000 students, scouts and special interest groups each year since it opened.

Saturday's dedication was held to celebrate the "reopening" of the buildings after they were moved from another part of the WMA, which is managed by the Division of Wildlife Resources (DWR).

The state wildlife agency will also manage the nature center. Gates to the new buildings will be open 9 a.m. to 4 p.m. during the week

Justina Parsons-Bernstein, an education specialist at Farmington Bay, said she hopes to get the facilities open until dusk once there are enough volunteer naturalists to help manage the buildings.

Among the elite gathered for the dedication Saturday was a Swainson's hawk. The bold raptor made several spectacular loops over the center's back deck before settling in on the corner of one of the buildings, much to the pleasure of the families and dignitaries attending the event.

The dedication marked the end of the center's first phase. The second involves raising about \$4.5 million for a permanent 14,000-square-foot building that will serve as visitor and education center, with access to a trail and boardwalk system on the nearby land. Plans include a 100-seat auditorium, a learning center, a meeting room, a gift shop and administrative space.

DWR director Jim Karpowitz learned about the nature center through the agency's involvement in the project. He realized the value of a private effort to raise money for wildlife education and came up with the proposal for the new foundation with a statewide scope.

The Great Salt Lake Interpretive Trust changed its name earlier this year and morphed into the Utah Wildlife and Conservation Foundation, with a mission to support native wildlife conservation across the state. Karpowitz offered his support by naming Bob Hasenyager, then director of the DWR's Northern Region, as interim executive director of the foundation,

"We looked at the proposal very carefully. We liked the idea, but we were concerned it might detract and divert our focus for completion of the nature center at Farmington Bay," said Bob Springmeyer, president of the Utah Wildlife and Conservation Foundation (UWCF). "In the end we decided it was a great opportunity to serve the wildlife and the people of Utah."

UWCF is in the process of recruiting new board members to better reflect the statewide responsibility. Once the board is determined, UWCF will seek financial support from the public and private sources to fund facilities like the nature center at Farmington Bay. Projects will not be limited to buildings, but could also include habitat preservation, research and relocation of wildlife, among others.

"We are a notage - அமெரி பெருவ்கள் partner with the Division of Wilphalfe Respondence not another state agency," Springmeyer said. "We will serve as stewards

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of the money and make sure it doesn't go into a black hole. People will be able to make species-specific donations, give money for ongoing projects or provide money for us to decide the best possible use of. Projects will not be decided by the state, but we clearly see the advantages of partnering with them,"

The state wildlife agency relies almost entirely on money generated from hunting and fishing licenses. Because of that, most of the budget goes back into species that are pursued by hunters or anglers. Karpowitz sees the foundation as working for people who do not hunt or fish, but still want to contribute money to preserve native wildlife in the state.

For example, more than 80,000 people visit Farmington Bay WMA each year. More than 10,000 of those visits happen during the annual migration of bald eagles to Farmington Bay in January and February.

Only 15,000 of the annual visits are from hunters. That is important because hunters fund the management of the refuge through state and federal monies and hunter numbers continue to decline across America.

"I worry about the future. Declining duck hunting numbers means there won't be money to keep places like Farmington Bay," Johnson said. "People don't realize that hunters are paying the bills. It is important that the general public wake up and help foot the bill to maintain these areas. Otherwise we might lose the land to a housing development and the kids will have no place to learn about the marsh."

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#### Directions

The Great Salt Lake Nature Center at Farmington Bay is at 1700 W. Glover Lane (925 South), Farmington,

From Salt Lake.

Travel north on I-15 to the Centerville exit, No. 319. The exit ramp will put you on Parrish Lane eastbound. Turn left (north) at the first light, which is Marketplace Drive, Marketplace Drive will merge with the frontage road. Continue north on the frontage road. After about three miles, you will reach a stop sign at Glover Lane. Turn left (west) on Glover Lane, which will cross over I-15. Continue west on Glover Lane to 1700 West. Turn left (south) into the Great Salt Lake Nature Center paved road and park in the lot.

From Ogden:

Travel south on I-15 to the Farmington exit, No. 325 - Lagoon/Park Lane. The exit ramp will deliver you to Park Lane. Turn right (west) on Park Lane. Park Lane will bear south, and will run into Clark Lane. Turn right (west) onto Clark Lane and continue to the first four-way stop, which is 1525 West. Turn left (south) onto 1525 West and continue for about a mile until the street ends at Glover Lane. Turn right (west) onto Glover Lane and continue for about two blocks until you come to 1700 West. Turn left (south) into the Great Salt Lake Nature Center paved road and park in the lot.

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